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EDUCATION IN UPPER CANADA

FROM THE PASSING OF THE

CONSTITUTIONAL ACT OF 1791,

TO THE

CLOSE OF THE REVEREND DOCTOR RYERSON'S ADMINISTRATION OF THE EDUCATION DEPARTMENT IN 1876.

VOL. X., 1851-1852.

FORMING AN APPENDIX TO THE ANNUAL REPORT OF THE MINISTER OF EDUCATION.

BY

J. GEORGE HODGINS, M.A., LL.D.,

OF OSGOODE HALL, BARRISTER-AT-LAW; EX-DEPUTY MINISTER OF EDUCATION; LIBRARIAN AND HISTORIOGRAPHER TO THE EDUCATION DEPARTMENT OF ONTARIO.

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HISTORICAL COLLECTION

PREFATORY NOTE TO THE TENTH VOLUME.

A glance at the "Contents" of this Volume, as given further on, will show how numerous were the subjects relating to Education which occupied the attention of our Public Men of Fifty Years ago.

The Legislation of those comparatively early days in the History of Upper Canada embraced the whole range of subjects, relating to Education, which usually occupied the attention of the Legislature. It included not only the usual legislation in regard to Popular Education, (in the form of Elementary Public and Separate Schools), but also measures affecting the well-being of Grammar Schools and the University of Toronto.

This Tenth Volume also records the Proceedings of various Churches in dealing with matters connected with the Colleges maintained by them,—Victoria, Queen's, Trinity and Knox. This Volume also includes the more important of the Correspondence which took place, in regard to these Colleges,—notably the further Communications addressed by Bishop Strachan to the Provincial Government, with a view to the granting of a Royal Charter, by the Imperial Authorities, to Trinity College University.

The subject of Separate Schools in Upper Canada,—both Roman Catholic and Church of England,—created a good deal of discussion in 1851 and 1852. I have given, on pages 178-188 of the Volume, two of the more important Letters which were included in the voluminous Correspondence which took place between the Venerable Bishop de Charbonnel and the Chief Superintendent of Education. The Petition also of Doctor Strachan, urging upon the Legislature the equitable right, as he claimed it, of the Church of England, (with that of the Church of Rome), to Separate Schools for the education of the children belonging to these Churches respectively, is inserted in the same Separate School group of subjects in this Volume.

Preceedings of more than ordinary local interest took place in Toronto in 1852 in regard to two subjects, which engrossed a good deal of public attention at the time. The one related to Separate School Money Claims, and the other to the maintenance of Free Public Schools in the City.

The Trustees of the Roman Catholic Separate Schools of Toronto in 1852, claimed an equal share, *pro rata*, with the Public Schools, of all moneys raised by assessment, for general School purposes, by authority of the City Council. The Public School Board, through its Standing Committee, adopted an elaborate Report, refusing to acknowledge the claim of the Separate School Trustees, as not authorized by the Statute, under which the assessment was made. That Law had provided that Separate Schools should only receive a share of the Legislative School Grant made to the City, and the Assessment specially raised by it, as an equivalent to that Grant. These two sums, taken together, were, in the Act,

declared to be the "School Fund" of the Municipality, and from which, as such, the Separate Schools were to receive their legal share.

The other subject of special local interest in 1852 was that of "Free Schools." An agitation against their adoption, which had been kept up by individuals and in the Press for some time, at length culminated in the active formation of an anti-Free School Crusade. The promoters of this movement took strong ground against the imposition of any Rates upon property for the purchase of School Sites, the building of School Houses, or the maintenance of Free Schools. They held that those alone, who required these Schools for their children, should pay for them, but that the general public should not be taxed for their support.

A Public Meeting having, by Requisition, been called by the Mayor—which was well attended—a prolonged discussion, (as given on pages 274-277), took place on the subject, which resulted in an almost unanimous and hearty vote by the Meeting in favour of a general taxation for the proposed School Sites, School Houses, and for the support, in future, of the City Public Schools as Free Schools.

It is especially gratifying to be able to turn from these less pleasing—yet, on the whole, not discouraging,—episodes in the educational history of these times, to the two chief events of the years 1851 and 1852.

The first event of importance here referred to, was the erection, in 1851, at a cost of One hundred thousand dollars, (and the permanent occupation in 1852,) of the handsome pile of Buildings on St. James' Square, (as it is now called), for the Normal and Model Schools, and for the Education Offices.

A full record of these notable events, and of the able and statesmanlike Speeches delivered on these occasions by Lord Elgin and by other prominent Public Men of those days is given in this Volume. The Address of Lord Elgin was especially marked by great clearness and beauty, by its eloquent tone and the almost touching pathos of his appeal to Ministers of Religion, to care "for the lambs of the flock."

These Speeches may be read to-day with a great feeling of satisfaction, as the hopeful, and almost prophetic, utterances of Fifty Years ago, by those who took part in the events recorded, have been more than fully realized in the after success and prosperity of the two important Institutions named, and also of the Education Department.

Another important movement was made in 1851 for the promotion of Public School Libraries.

The School Act of 1850 had provided for an Annual Grant of Twelve thousand dollars "for the establishment and support of Public School Libraries" in Upper Canada. Preliminary steps were taken by the Chief Superintendent, in 1851, to give effect to this wise and generous grant of the Legislature for these libraries. A record of the proceedings to this end is given, and the proceedings are also fully detailed on pages 97-99 and 191-201 of this Volume.

In his Annual Report for 1852, the Chief Superintendent, after having given particulars as to what had been done to provide a supply of good wholesome literature for the proposed Public Libraries, stated, that, in addition " to the establishment of these Libraries upon a right foundation," he had " deemed it essential .. to provide for the accomplishment of the following objects :—

1. The prevention of the expenditure of any part of the Library Fund in the purchase and circulation of Books having a tendency to subvert public morals, or vitiate the public taste.

2. The protection of local parties against imposition, by interested itinerant Book Vendors, in regard to both the prices and character of Books introduced into their Libraries.

3. The placing of the remotest Municipalities upon an equal footing with those adjoining the Metropolis, in regard to the terms and facilities of procuring Books, with the single exception of their transmission which is now becoming safe and easy to all parts of Upper Canada.*

4. The selection, procuring, and rending equally acceptable to all the School Municipalities of the land a large variety of attractive and instructive reading Books, and that upon the most economical and advantageous terms.

5. The removal of all restrictions upon local exertion, either as to the sums raised, or the manner of raising them, whether in a School Section, or Township, or County, and the encouragement of such exertions by proportioning, in all cases, the amount of public aid to the amount raised by local effort.

The Council of Public Instruction, in adopting the Library Regulations, in 1853,(after specifying certain limitations in regard to the selection and approval of Books for Public Libraries), stated that :—

With these exceptions and limitations, it is the opinion of the Council that, as wide a selection as possible, should be made of useful and entertaining Books of permanent value, adapted to popular reading in the various departments of human knowledge ; leaving each Municipality to consult its own taste, and to exercise its own discretion in selecting such Books from the General Depository Catalogue of the Department as it prefers.

By reference to that Catalogue, as revised from time to time, it will be seen that none of the "Popular" Novels of the day were included in the Catalogue list. But a number of Tales and Stories, illustrative of " Practical Life," and issued by well-known Publishers, were included in the Official Catalogue, under that general heading. In later years " Fiction" was added, but only such sterling works of distinguished Authors, as had merited the general approval of those competent to judge in such matters.

It was no wonder, therefore, that Lord Elgin, the able and gifted Governor General of that period, who was personally cognizant of what had been done to establish the System of Public Libraries, should have referred, in one of his eloquent speeches, at the time, to these Libraries as :—

" The Crown and Glory of the Institutions of the Province."

J. GEORGE HODGINS,

Librarian and Historiographer of the Education Department of Ontario.

Toronto, 17th of March, 1903.

* The terms, upon which it was proposed that Books would be supplied to Public Libraries, were thus stated in a Departmental Notice issued by Doctor Ryerson :—

The Chief Superintendent of Education is prepared to apportion One Hundred per cent, upon all sums which shall be raised from local sources by Municipal Councils and School Corporations for the establishment or increase of Public Libraries in Upper Canada under the Regulations provided according to law. Prison Libraries and Teachers' County Association Libraries may, under these Regulations, be established by County Councils, as Branch Libraries.

† On page 194, I have quoted some recent utterances of President Eliot, of Harvard University, on the demoralizing effect of the general introduction into certain popular Libraries " of ephemeral reading matter, which is not good in either form, or substance."

CONTENTS OF THE TENTH VOLUME, 1851-1852.

PAGE

CHAPTER I. ERECTION OF THE NORMAL AND MODEL SCHOOLS AND EDUCATION OFFICES 1
I. Introductory Sketch of Elementary Education in Upper Canada..... 1
II. Ceremony of Laying the Corner Stone by Lord Elgin, July 1851..... 5
III. Address to Lord Elgin, by Doctor Ryerson, and his Reply..... 3
IV. Front and Side Perspective of the Buildings..... 11
CHAPTER II. PROCEEDINGS OF THE COUNCIL OF PUBLIC INSTRUCTION IN 1851..... 15
CHAPTER III. REPORT OF THE CHIEF SUPERINTENDENT OF EDUCATION FOR 1851 23
I. Statistics of the Schools for 1851 36
CHAPTER IV. EXPLANATORY PAPERS BY THE CHIEF SUPERINTENDENT OF EDUCATION.. 38
I. Permanency and Prospects of the School System..... 38
II. Encouraging Symptoms for the Future of our School System..... 41
III. Powers and Duties of School Trustees under the Act of 1850..... 43
CHAPTER V. CIRCULARS FROM THE CHIEF SUPERINTENDENT OF EDUCATION..... 46
I. To the Clerks of the City, Town and Village Councils on the First Legislative Grant under the New School Act of 1850..... 46
II. To Local Superintendents on the Mode of Distributing the School Fund.. 46
III. To Local Superintendents on the Administration of the New School Act.. 48
IV. To County Clerks, sending specimens of Maps and School Appliances.... 49
CHAPTER VI. THE UNIVERSITIES AND COLLEGES OF UPPER CANADA..... 51
I. The "Church University"—Trinity College 51
(1) Correspondence of Various Parties 51
II. Erection of Trinity College—"Turning the First Sod" and Laying the Corner Stone..... 57
(1) Addresses by Doctor Strachan and Others..... 58
(2) The Inauguration Ceremony, and Opening of Trinity College..... 61
(3) Miscellaneous Papers relating to Trinity College..... 70
III. The University of Toronto, 1851..... 72
I. The University Bill of the Honourable Henry Sherwood, 1851..... 72
IV. Report of the Toronto University Endowment Board, 1851 75
V. Report of the Endowment Board on Upper Canada College, 1851..... 77
VI. Report of the Caput of Toronto University, 1851..... 78
VII. Report of the Principal of Upper Canada College, 1851 79
CHAPTER VII. PROCEEDINGS OF THE CHURCHES ON UNIVERSITY MATTERS 80
I. The Methodist Church, Representing Victoria College 80
(1) Official Returns, Relating to Victoria College..... 83
(2) Correspondence between the Reverends Doctors Ryerson and Nelles.. 85
II. The Presbyterian Church (of Scotland), representing Queen's College, 1851 86
III. The Free Presbyterian Church, representing Knox College..... 86
CHAPTER VIII. THE SEPARATE SCHOOL QUESTION IN 1851..... 88
I. Correspondence between Doctor Ryerson and Members of the Government 88
II. Church of England Separate Schools advocated by Doctor Strachan 91
CHAPTER IX. EDUCATIONAL PROCEEDINGS BY COUNTY MUNICIPAL COUNCILS, 1851.... 93
I. Counties of Wentworth and Halton 93
II. Counties of York and Peel..... 95

PAGE.

CHAPTER X. STEPS TAKEN TO SUPPLY SCHOOL LIBRARIES, 1851 97
I. Various Correspondence on the subject 97
CHAPTER XI. EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF CANADA, 1852, 1853 100
I. Educational Proceedings of the House of Assembly 100
II. Educational Proceedings of the Legislative Council 113
CHAPTER XII. EDUCATIONAL ACTS PASSED BY THE LEGISLATURE OF 1852, 1853 117
I. The University Act of 1853 117
II. Common School Act for a Limited Period, 1852 130
III. The Supplementary School Act of 1853 133
(1) Separate School Section of the Act 134
(2) Financial Provisions of the Act 139
IV. The Grammar School Act of 1853 140
(1) Provision for Taking Meteorological Observations 144
CHAPTER XIII. DRAFTS OF BILLS ON EDUCATIONAL SUBJECTS, 1852, 1853 146
I. Special University Bill by Doctor Ryerson 146
(1) General Observations on University Education 146
(2) Draft of Proposed University Bill 154
(3) Correspondence on the subject, between the Honourable Francis Hincks and Doctor Ryerson 156
II. Supplementary School Bill of 1853 and Explanatory Correspondence 159
(1) The Original Draft of Supplementary School Bill 164
(2) Additions and Alterations in the Bill 167
III. Financial Sections of the Bill 169
IV. Correspondence on the Separate School Provisions in the Bill 171
V. Draft of Grammar School Bill of 1850, as altered in 1853 173
CHAPTER XIV. EDUCATIONAL RETURNS LAID BEFORE THE LEGISLATURE IN 1852 174
I. Return Relating to Separate Schools 175
(1) The Separate School Question in 1841-1843 175
(2) Upper Canada Separate School Legislation in 1841 and 1843 176
(3) Separate School Correspondence in the Return 178
(Letters IV. and V. in the Return are printed *in extenso*) 179
(4) Schedule of Letters and Explanatory Documents in the Return 179
(5) Appendix to the Return 179
II. Return Relating the Educational Depository and Financial Matters 190
(1) Origin of the Depository, and Reasons for its Establishment—Profits Made during its existence 193
(2) Appendix of Explanatory Letters and Documents 194
(3) Correspondence between Doctor Ryerson and the Colonial Secretary 197
(4) Operation of the Depository from 1851 to 1881 201
(5) Original Prospectus of the *Journal of Education* in 1848 201
III. Return Relating to the Charter of Trinity College, Toronto 203
IV. Supplementary Return Relating to Toronto University Accounts 206
CHAPTER XV. PROCEEDINGS OF THE SENATE OF THE UNIVERSITY OF TORONTO, 1852 207
CHAPTER XVI. REPORT OF THE UNIVERSITY BOARD OF ENDOWMENT FOR 1852 220
I. Five Financial Statements of the University 227
II. Proceedings of the Toronto University Convocation 229
(1) Resignation of Chancellor, Hon. P. B. de Blaquiére 217, 229
(2) Election of the Hon. Robert Baldwin, as Chancellor 229

PAGE.
(3) Letter of Mr. Baldwin declining the Office ... 229
(4) Resolution against the Hincks' University Bill of 1853 ... 230
CHAPTER XVII. PROCEEDINGS OF THE CHURCHES ON UNIVERSITY MATTERS ... 231
I. The Methodist Church Representing Victoria College ...
(1) Denominational Colleges.—Their Connection with a System of Public Instruction,—An Address at Victoria College by Doctor Ryerson ... 234
II. The Presbyterian Church (of Scotland), Representing Queen's College ... 237
III. Free Presbyterian Church, Representing Knox College ... 238
IV. Church of England, Representing Trinity College ... 239
(1) Particulars as to the Condition and Prospects of Trinity College ... 239
CHAPTER XVIII. PROCEEDINGS OF THE COUNCIL OF PUBLIC INSTRUCTION IN 1852 ... 241
I. Financial, Building Fund, Statements ... 241
II. Revised Terms of Admission to the Normal School ... 244
III. Revised Terms of Admission to the Model School, and Rules of the Schools 245
CHAPTER XIX. CORRESPONDENCE WITH THE GOVERNMENT ON OFFICIAL MATTERS ... 248
I. To the Inspector-General on the School Apportionment ... 248
II. To the Attorney-General on the the Meaning of the Term: "School Fund," with Reply ... 249
III. To the Provincial Secretary, for an Additional Building Grant ... 249
IV. To the Inspector-General, on Reprinting the Irish National School Books 250
V. To the Provincial Secretary, Proposing a Re-division of the Provincial School Grant ... 251
CHAPTER XX. CIRCULARS IN REGARD TO THE LOCAL SCHOOL ADMINISTRATION OF THE SCHOOL LAW, 1852 ... 251
I. To Wardens of Counties on the Non-Receipt of the Township School Accounts ... 251
(1) Basis upon which the School Grant of 1852 had been Apportioned ... 253
II. To Clerks of Counties, Notifying Them of the School Apportionment of 1852 ... 253
III. To Local Superintendents, on the Mode of Distributing the School Fund ... 255
IV. To Clerks of Cities, Towns and Villages, Notifying Them of the Legislative School Grant Apportionment ... 256
V. To County Clerks, Transmitting School Act, Registers, Annual Report and Catalogue of School Requisites ... 257
VI. To Local Superintendents, sending Reports, Registers and Apparatus Catalogue for distribution to the Schools ... 257
CHAPTER XXI. EDUCATIONAL PROCEEDINGS OF COUNTY COUNCILS, 1852 ... 258
I. County Council of York and Peel ... 258
II. County Council of Hastings ... 259
(1) Children Attending School in the County ... 260
III. Counties of Wentworth, Halton and Brant ... 261
IV. County of Norfolk ... 261
(1) The County Council and Reply ... 262
(2) The County Board of Public Instruction and Reply ... 263
V. Counties of Lanark and Renfrew ... 264
(1) Town of Perth and Reply ... 264
(2) Special Letter from Mr. Wm. L. Mackenzie and Reply ... 265
CHAPTER XXII. THE SEPARATE SCHOOL QUESTION IN 1852 ... 266

PAGE.

I. Roman Catholic Separate Schools, City of Toronto :
(1) Application for a Share in all School Assessments 266
(2) Reply of the City Board of Common Schools, in the form of a Report on the Subject 266
(3) Letter to the Chief Superintendent by the Chairman of the School Board, and Reply 269
II. Church of England Separate Schools 270
(1) Petition to the Legislature by Bishop Strachan 270
III. Roman Catholic Separate Schools 272
(1) Toronto Petition for Separate Schools 272
(2) Lower Canada Petitions for Separate Schools in Upper Canada 272
IV. Authority, in the School Act of 1850, to Establish Denominational Schools in Cities, Towns and Villages 273

CHAPTER XXIII. FREE SCHOOL AGITATION CRUSADE IN TORONTO IN 1852 273
I. Requisition to the Mayor to call a Meeting 274
II. Public Meeting. Speakers : Messieurs Dallas, Thompson, Workman and H. J. Boulton, Doctors Ryerson, Burns and Russell and Reverend John Jennings 274
III. Increase of Free Schools in Upper Canada 277

CHAPTER XXIV. CEREMONY OF OPENING THE NORMAL AND MODEL SCHOOLS AND EDUCATION OFFICE BUILDING 278
I. Addresses by the Honourables Samuel B. Harrison, Chief Justice Robinson, Francis Hincks, and the Reverend Doctors Ryerson and McCaul. 278

CHAPTER XXV. REPORT OF THE CHIEF SUPERINTENDENT OF EDUCATION FOR 1852 287

CHAPTER XXVI. PAPERS ON THE SCHOOL SYSTEM OF UPPER CANADA 303
I. The Spirit in which the Present Educational Movement Should be Directed 303
II. Origin of the Principle of Free Schools in Upper Canada 305
III. Report of the Governor-General, Lord Elgin, on the Schools of Upper Canada 307

CHAPTER I.

ERECTION OF THE NORMAL, MODEL AND EDUCATION OFFICE BUILDINGS IN 1851.

Following the accompanying sketch is an Official Record of the Proceedings at the Ceremony of Laying the Chief Corner Stone of the Normal and Model Schools and Education Offices for Upper Canada in 1851. It is prefaced by an Introductory Sketch of the System of Public Elementary Instruction in Upper Canada by the Chief Superintendent of Education.

Introductory Sketch of the System of Public Elementry in Upper Canada, by the Chief Superintendent of Education.

The description and illustrations of the Buildings for the Normal and Model Schools and Education Offices for Upper Canada are given in the following Sketch, together with an account of the imposing Ceremony of laying the Chief Coroner Stone, suggest the desirability of giving a brief outline of that System of Public Elementary Instruction, with which those Schools are essentially connected.

The origin of the Common School System of Upper Canada, as now established, is as follows:—

Annual Parliamentry Grants were made in aid of Common Schools for more than thirty, [now eighty] years, but were expended without system, and with but little advantage to the Country.

In 1841, after the Union of the Provinces of Upper and Lower Canada in 1840, the first School Law was passed, (introduced and conducted through the Legislative Assembly by the Honourable Samuel Bealy Harrison, then Secretary of the Province, and now Chairman of the Council of Public Instruction for Upper Canada. * That Law was made to apply to the two United Provinces. It embodied the great principle of granting money to each County, upon the condition of such County raising an equal amount by local assessment. Considerable opposition was made at first in many parts of the Province to the principle of that Act; and it is said that when the Honourable Robert Baldwin was engaged, in 1841, in an eleccion contest in the County of Hastings, and was informed of the opposition against him, even among many of his own friends, on account of his supporting such a principle of School Taxation, he answered in effect that he would rather lose his election than give up that principle.

The machinery of that Law requiring modification, the Honourable Francis Hincks brought in another Bill in 1843, designed especially to apply to Upper Canada alone, and which became a Law. It very much simplified and improved the details of the Act of 1841.† By that Law, the Secretary of the Province was *ex-officio* Chief Superintendent of Schools, with two Assistants. In 1844, the office of Assistant Superintendent of Upper Canada was offered to the present Incumbent; and after having received the sanction of the authorities of his Church, he accepted it in the autumn of that year, upon the understanding that the administration of the School System should constitute a distinct Non-political Department, of the Government, and that the Superintendent should be permitted to provide for the performance of his duties for a year by a deputy, and have a year's leave of absence to visit and examine the Educational Systems of other Countries, both in Europe and America, before attempting to lay foundations of a School System in Upper Canada.

The whole of 1845 was employed in these preliminary enquiries, and the results were embodied, in March, 1846, in a "Report on a System of Public Elementry Instruction for Upper Canada,"‡ and a Draft of Bill which was introduced into the Legislative Assembly by the Honourable William H. Draper, (then Attorney General,) and became a Law in June, 1846.§ In a few months afterwards, a Draft of Bill was prepared for establishing a System of Schools in Cities and Incorporated Towns, which was introduced into the Legislative Assembly by the

* A copy of that Act is printed on pages 48-55 of the Fourth Volume of this Documentary History.

† *Ibid*, pages 251-262

‡ This Report is inserted on pages 139-211 of the Sixth Volume of this History.

§ See pages 59-78 of the same Sixth Volume.

Honourable J. H. Cameron, (then Solicitor General,) and became a law in June, 1847.* These two Acts, with the modifications and improvements which experience has suggested, and the progress of the School System required, have been incorporated into one Act, which was introduced into the Legislative Assembly by the Honourable Francis Hincks, (Inspector General,) and became a law in 1850.

This Act is printed on pages 31-49 of the Ninth Volume of this History. It was the first Act to which His Excellency the Earl of Elgin gave the Royal Assent after the removal of the Seat of Government to Upper Canada in that year.

Our system of Public Elementary Instruction is eclectic and is, to a considerable extent, derived from four sources. The conclusions at which the present Head of the Department arrived during his observations and investigations of 1845, were :

1. That the machinery, or law part of the system, in the state of New York was the best upon the whole,—appearing, however, defective in the intricacy of some of its details, in the absence of an efficient provision for the visitation and inspection of Schools, the Examination of Teachers, Religious Instruction, and a uniform series of Text-books for the Schools.

2. That the principle of supporting Schools in the State of Massachusetts was the best,—supporting them all by a tax upon property, and opening them to all without distinction ; but that the application of this principle should not be made by the requirements of State, or Provincial Statute, but at the discretion, and by the action, from year to year, of the inhabitants in each School Municipality,—thus avoiding the objection which might be made against an uniform coercive law on this point, and the possible indifference which might in some instances be induced by the provisions of such a law,—independent of local choice and action.

3. That the series of Elementary Text-books, prepared by experienced Teachers, and revised and published under the sanction of the National Board of Education in Ireland, were, as a whole, the best adapted to Schools in Upper Canada, having long been tested, having been translated into several languages of the Continent of Europe, and having been introduced more extensively than any other series of Text-books into the Schools of England and Scotland.

4. That the system of Normal School training of Teachers, and the principles and modes of teaching which were found to exist in Germany, and which have been largely introduced into other Countries were incomparably the best,—the system which makes school-teaching a profession, which, at every stage, and in every branch of knowledge, teaches things, and not merely words, which unfolds and illustrates the principles of rules, rather than assuming and resting upon their verbal authority, which develops all the mental faculties, instead of only cultivating and loading the memory,—a system which is solid, rather than showy, practical, rather than ostentatious, which prompts to independent thinking and action, rather that servile imitation.

Such are the sources from which the principal features of the present School System in Upper Canada have been derived, although the application of each of them has been modified by the local circumstance of our Country.

There is another feature, or rather cardinal principle, of it, which is rather indigenous than exotic, which is wanting in the Educational Systems of some Countries, and which is made the occasion and instrument of invidious distinctions and unnatural proscriptions in other Countries, —I mean the principle of not only making Christianity the basis of the System, and the pervading element of all its parts, but of recognizing and combining, in their official character, all the Clergy of the land with their people in its practical operations, maintaining absolute parental supremacy in the Religious Instruction of their children, and upon the principle providing for it according to the circumstances, and under the auspices of the elected Trustee-reprentatives of each School Municipality. The Clergy of the Country have access to each of its Schools, and I know of no instance in which the School has been made the place of religious discord, but many instances, especially on occassions of Quarterly Public Examinations, in which the School has witnessed the assemblage and friendly intercourse of Clergy of various Religious Persuasions, and thus become the radiating centre of a spirit of Christian charity and potent co-operation in the primary work of a people's civilization and happiness.

The System of Public Instruction in Upper Canada is engrafted upon the Municipal Institutions of the Country. We have Municipal Councils of Counties, of Townships, of Cities, of Towns, and of Incorporated Villages. The members of County Councils are elected by the Councils of Townships and Towns, one, or two, for each. The Members of Township, City, Town, and Village Councils are elected by the resident freeholders and householders of each Municipality.

* Printed on pages 26-28 and 188-195 of the Seventh Volume of this History.

This question is fully discussed on pages 273-289 of the Sixth Volume of this Documentary History, and on pages 106, 107 and 160-164 of the Seventh Volume.

The Municipal Council of each Township divides such Township into School Sections of a suitable extent for one School in each, or for both a male and female School. The affairs of each School Section are managed by three Trustees, who hold their offices for three years, and one of whom is elected annually by the freeholders and householders of such School Section.

The powers of School Trustees are ample to enable them to do all that the interests of a good School require,—they are the legal Representatives and guardians of their Section in school matters. They determine whatever sum, or sums, are necessary for the furnishing, etcetra, of their School and the salaries of Teachers, but account for its expenditure annually to their constituents, and report fully to the Local School Superintendent, by filling up blank forms of Annual Reports, which are furnished to them by the Chief Superintendent of Education from year to year.

The Township Council imposes asseeements for the erection of School Houses, or for any other school purpose as desired by the inhabitants of School Sections through their Trustees. The inhabitants of each School Section decide as to the manner in which they will support their School according to the estimates and engagements made by the Trustees, whether by voluntary Subscription, by Rate-bills on parents sending children to the schools, or by Rates on the property of all, according to its assessed value, and opening the School to the children of all without exception. The latter mode is likely to supercede both the others, but its existence and operation, in connexion with each School, depend upon the annual decision of the inhabitants of each School Section at a public meeting called for that purpose.*

The duties of Teachers are prescribed by law, and their rights are effectually protected. No Teacher is entitled to any part of the School Fund who does not conduct his School according to law, and who has not a legal Certificate of Qualification from a County Board of Public Instruction ; nor is any School Section entitled to receive any aid from the School Fund, in which a School is not kept open for at least six months during each year by a Teacher thus recognized as to both Moral Character and attainments. The law also requires a Public Quarterly Examination to be held in each School.

The inspection of Schools is made by Local Superintendents, who are appointed by the County Councils, and who may be appointed one for each County, or one for one, or more, Townships, at the pleasure of each County Council. Each Local Superintendent is entitled to at least One pound, (four dollars,) per annum for each School under his charge. He is often allowed more than this. He is required to visit each School at least once a quarter, and to deliver a Public Lecture on education in each School Section once a year, besides apportioning the school moneys to the several School Sections within his jurisdiction, giving cheques, on the orders of Trustees, to qualified Teachers upon the County Treasurer, or Sub-treasurer, aiding in the Examination of Teachers, deciding various questions of dispute and reference, corresponding on school matters, and reporting annually to the Chief Superintendent, according to the blank forms prepared and furnished by him.

Besides the Local School Superintendents, all Clergymen recognized by law, Judges, Members of the Legislature, Magistrates, Members of County Councils, and Aldermen, are School Visitors, authorized to visit all the Schools, as far as practicable, within their respective charges and Municipalities. Their visits are voluntary ; they are desired "especially to attend the Quarterly Examination of Schools, and, at the time of such visits, to examine into the progress of the pupils, and the state and management of the Schools, and to give such advice and counsel to Teachers and pupils, and any others present, as they may think advisable, in accordance with the Regulations and Instructions which are provided in regard to School Visitors, according to law." The Act of 1850 also authorizes the holding of general Meetings of School Visitors in any Municipality, on the appointment of any two Visitors, "to devise such means as they may deem expedient for the efficient visitation of the Schools, and to promote the establishment of Libraries and the diffusion of useful knowledge." The school visits of the Clergy in Upper Canada amounted last year to 2,566 ; the number of visits by the other School Visitors was 9,970 ; and 5,852 visits were made by Local Superintendents, being an increase of 2,879, over those of the preceding year.

There is a Board of Public Instruction in each County, consisting of Local Superintendents and the Trustees of the Grammar Schools in such County. These County Boards consist largely of the Clergy of different Religious Persuasions, associated with some of the most intelligent lay gentlemen in each County ; so that the Country has the best guarantee that its circumstances will admit for the moral character and intellectual qualifications of Teachers. The Teachers are examined by these County Boards, and arranged into three classes, according to a Programme of Examination, prepared and prescribed by the Council of Public Instruction for Upper Canada. The Municipal Council of each County is responsible for raising at least an equal sum to the Parliamentary Grant for salaries of Teachers in the several Townships within

*This mode of deciding how the School should be supported during the year ceased in 1871, when Free Schools were established in the Province by the law of that year.

its jurisdiction with that which is annually apportioned to them out of the Parliamentary appropriation by the Chief Superintendent of Education. The County Councils also appoint the Local Treasurers of the School Fund, and the Local Superintendents of Schools, and provide for their salaries. Special provision is also made for the security of School Fund, against the diversion of any part of it, and for the prompt payment of it to Teachers at the times specified by law.

Both the County and Township Councils have authority to raise any sums they shall think proper for Public School Libraries, under the General Regulations prescribed according to law. A parliamentary appropriation has been made for the establishment of School Libraries, to be expended on the same conditions with the appropriation for the support of Schools.*

The School Law also provides a system adapted to the circumstances of Cities, Towns and Incorporated Villages. In each City and Town there is one Board of Trustees for the management of all the Schools in such City, or Town,—two Trustees being elected for each Ward, and holding office for two years,—one retiring annually. In each Incorporated Village, not divided into Wards, there is a Board of six Trustees elected,—two retiring from office and two elected, each year. These Boards of Trustees, thus constituted, appoint the Local Superintendent, of Schools, and determine upon the numbers and kinds of Schools to be established, the employment of Teachers, and all the expenses necessary for the Schools in each such City, Town, or Incorporated Village: and the Municipal Council is required, in each case, to raise the sum, or sums, estimated by the Board of Trustees for all their school purposes, and in the manner that they shall desire. There is also the same provision for the establishment of Libraries in each City, Town and Village, as exists in respect to their establishment in each Township and County.

At the head of the whole School System we have a Council of Public Instruction and a Chief Superintendent of Education,—both appointed by the Crown. The Council has the entire management of the Provincial Normal and Model Schools, recommends the Text-books for the Schools and Books for the School Libraries, and makes the Regulations for the Organization, Government and Discipline of Common Schools, the Examination and Classification of Teachers, and the establishment and care of School Libraries throughout Upper Canada.

The Chief Superintendent, who is *ex-officio* Member of the Council of Public Instruction, and provides accommodations for its Meetings; apportions the Legislative part of the School Fund to the several Municipalities throughout Upper Canada, prepares the General School Regulations and submits them, as well as the Text and Library Books, to the consideration of the consideration of the Council of Public Instruction ; prepares the forms of Reports and modes of all school proceedings under the School Act, and gives instructions for conducting them, as well as for holding Teachers' Institutes, decides questions of dispute submitted to him; takes the general superintendence of the Normal School ; provides facilities for procuring Text and Library Books, and provides and recommends Plans of School Houses ; prepares Annual Reports ; corresponds with local school authorities throughout Upper Canada, and employs all means in his power for the promotion of education and the diffusion of useful knowledge. He is responsible for his official conduct, and for all moneys that pass through his Department.

Such is an epitome of the System of Public Elementary Instruction in Upper Canada. The foundation may be considered as fairly laid, and something has been done towards rearing the superstructure.

In 1846, provision was made for the establishment of a Normal School, and the sum of Fifteen Hundred pounds (£1,500 = $6,000), a year was granted towards its support. The Normal School was opened in the autumn of 1847, and, since then, 618 Teachers have been trained, a longer, or shorter, time by able Masters, including practice in teaching in a Model School established for that purpose. Last year, a grant of a Thousand pounds (£1,000 = $4,000) per annum was made to facilitate the attendance of Teachers in-training at the Normal School, and Fifteen Thousand pounds, (£15,000 = $60,000) for the erection of Buildings,—for particulars respecting which is given further on. Reference to the engravings which are there given will show what the style and character of the Buildings are. The Address to the Governor General and His Excellency's Reply are also given.

The number of Schools in Upper Canada under the care of the Department is three thousand fifty-nine, (3,059) ; the amount of money available during the year for the salaries of Teachers, besides all other expenses connected with the Schools was Eighty-eight thousand, four hundred and twenty-nine pounds, (£88,429 = $353,716) ; the number of pupils in the Schools reported for 1850 was 151,891.

There has been an annual increase in the statistical returns of each branch of the Common School System during the last five years. The System is to a great extent voluntary. Each Municipality exercises its discretion as to whether it will, or will not, accept the Parliamentary

*See page 48 of the Eighth Volume of this Documentary History.

appropriation, upon the conditions specified ; and each School Section does the same, in regard to the terms on which aid is offered in support of its School. The General Regulations and oversight are such as merely to secure a fulfilment, in each locality, of conditions which are required by the Legislature,—the collective wisdom and voice of the Country,—and to maintain a standard of teaching that will prevent funds provided for the promotion of knowledge, from being wasted upon ignorance and vice. The working of the Common School System is a great social development,—yet in its infancy, but instinct with life and energy, and fraught with results which can be more easily conceived than described.

CEREMONY OF LAYING THE CORNER STONE OF THE EDUCATION BUILDINGS.

Proceedings at the Ceremony of Laying the Chief Corner Stone of the Normal and Model Schools and Education Offices for Upper Canada, on the Second day of July, 1851.*

The Ceremony of laying the Chief Corner Stone of the new Normal and Model Schools and Education Offices for Upper Canada, took place on Wednesday the Second of July, 1851, in the presence of a very large company of spectators. A capacious enclosure had been constructed on the Grounds, having at its west end a covered platform decorated with flags, for the reception of His Excellency, Lord Elgin, the Governor General. At the opposite end. seats were provided for the accommodation of Ladies; on the south side, were Members of the Provincial Legislature and of the Corporation of the City of Toronto, with the Clergy and other Professional Gentlemen, while the mass of spectators occupied the vacant space on the north. A Guard of Honour of the 71st Highland Light Infantry was on the Grounds with the Band of that Regiment.

About noon, His Excellency the Governor General arrived, accompanied by the Countess of Elgin, Lady Elma Bruce, and Colonel and Mrs Bruce. Their Excellencies and suite were received by the Council of Public Instruction for Upper Canada, and conducted to the platform; the Band meanwhile playing the National Anthem. Around their Excellencies on the platform, besides the Members of the Council of Public Instruction were the Honourable J. Bourret, President of the Executive Council, Honourable Robert Baldwin, M.P.P., Attorney General West ; Honourable Francis Hincks, M. P. P., Inspector General ; Honourable James Leslie, Provincial Secretary ; Honourable James Harvey Price, M. P. P., Commissioner of Crown Lands ; Honourable James Morris, Postmaster General ; Honourable Rène E. Caron, Speaker of the Legislative Council ; Honourable Augustin N. Morin, M.P.P., Speaker of the Legislative Assembly ; Honourable Chief Justice John Beverley Robinson, Honourable Judge Robert E. Burns, Honourable Vice-Chancellor John G. Spragge, Honourable Peter Boyle de Blaquière, Chancellor of the University of Toronto ; The Honourable Sir Allan N. Macnab, M.P.P., Honourable William Badgley, M.P.P., Honourable Henry John Boulton, M.P.P., Honourable Henry Sherwood, M. P. P., Honourable William B. Robinson, M. P. P., the Honourable John Sanfield Macdonald, M.P.P., Solicitor General, West ; The Honourable Louis T. Drummond, M.P.P., Solicitor General, East ; His Worship the Mayor of Toronto ; Sir Hew Dalrymple, Baronet and other Members of His Excellency's Staff.

The Members of the Council of Public Instruction were severally introduced to the Governor General by the Reverend Doctor Ryerson, as follows, viz. :—

The Right Reverend Doctor A. F. M. de Charbonnel, the Reverend Henry James Grasett, A. M., Messieurs Joseph Curran Morrison, M P.P., Hugh Scobie, James Scott Howard, and the Reverend Doctor John Jennings ; Mr. John George Hodgins, and his Brother, Mr. Thomas Hodgins of the Education Office. Also the Architects, Mr. Frederick W. Cumberland, and Mr. Thomas G. Ridout, Junior ; and Mr. James Metcalfe, of the firm of Metcalfe, Wilson and Forbes, the Contractors.

The following appropriate Prayer was offered up by the Reverend H. J. Grasett, A.M., a Member of the Council :—

O Lord God, infinitely wise and good, who teachest man knowledge, and givest both the skill and power to accomplish our purposes, look down, we beseech Thee in Thy infinite goodness, upon the work which we are about to commence.

We beg Thy blessing upon our undertaking. Prevent us O Lord, in all our doings with Thy Most Gracious Favour, and further us with Thy continual help ; that in this, and in all our works,

*On the first of July the Council of Public Instruction passed an order, requesting the Chief Superintendent to employ a Special Reporter to attend at the Ceremony, and to prepare an official report of the Proceedings, which was done. That report is here reproduced, with some abbreviation.

begun, continued, and ended in Thee, we may glorify Thy Holy Name, and finally by Thy Mercy, obtain everlasting life.

Grant, O most Merciful Father, that the School we are about to erect may ever acknowledge Thee as its great Builder, our Blessed Saviour Himself being the Chief Corner Stone. On Thy Holy Word we lay the foundation, in full trust that as long as it is established upon this rock, it shall stand forever the monument of Thy goodness and loving kindness.

Mercifully vouchsafe to it a bountiful measure of Thy richest grace, and grant, O Lord, grant, that it ever may prove a blessing to the land, training up Teachers, who shall have not only the qualifications necessary to their important calling, but a due sense of the motives from which they should act, and the ends which they ought to seek, in the whole course of their life.

Grant also, that the children who shall here be taught, may not only be instructed in sound and useful learning but also be trained up in the way in which they should go, so that when they are old they shall not depart from it, and so also that they may live in the true faith and fear of God, in dutiful allegiance to the Queen, and in Brotherly Love and Christian Charity.

We pray that Thy blessed Word may ever be the standard and the guide in all our plans for this end, and the sure foundation of all our instruction ; that we may seek first the Kingdom of God, and Thy Righteousness, and then expect every other good.

May the Children of many generations, within the walls about to rise, be taught that knowledge which alone can make them wise unto salvation, —the knowledge of Thee, whom to know is life eternal.

Look down upon us, O God, we beseech Thee, and establish Thou the work of our hands ; yea the work of our hands establish thou it, through Jesus Christ, our Lord. *Amen.*

The Reverend Dr. Ryerson, Chief Superintendent of Education for Upper Canada, then delivered the following written Address to His Excellency the Governor General :—

May it please Your Excellency :—

The Normal and Model Schools for Upper Canada have been established for the instruction and training of School Teachers. The special education of Teachers is an essential element in the System of Public Instruction of all Countries, in which the general education of the people is regarded, as a matter of National importance. Experience has shown the necessity and advantage of a preparatory course of instruction and practice for the profession of teaching, as well as for the other Professions and Trades which are demanded by the necessities of every civilized community. Acting under a conviction, so strongly and generally established, our Legislature provided, in 1846, for the establishment of a Normal and Model School for Upper Canada. This was done, not by making a new, or special, Grant out of the public revenue, but by appropriating for that purpose a small part of the Upper Canadian portion of the Legislative School Grant for the support of Common Schools. The success of the experiment has rendered indispensable the erection of the structure, the Chief Corner Stone of which is about to be laid by your Excellency.

This Institution is designed to accommodate Two Hundred, (200) Teachers-in-training, and Six Hundred (600,) pupils in the Model Schools—Schools intended not merely as a pattern, according to which Common Schools generally should be conducted, but as Schools in which the Teachers-in-training will practice in teaching the subjects of the instructions and Lectures given in the Normal School. In addition to this, accommodation has been provided in the Main Building for the Offices of the Department of Public Instruction : a Depository for Maps, Apparatus, Text and Library Books for Schools throughout Upper Canada ; a Departmental Library and a Museum ; Rooms for a School of Art and Design, in which it is proposed by the aid of the Legislative Grant of about Five Hundred pounds, (£500 $2,000,) per annum, to give a special course of instruction adapted to the interest and progress of the Mechanical Arts and Manufactures.

The Land on which these Buildings are in the course of erection, is an entire square, consisting of nearly Eight Acres two of which are to be devoted to a Botanical Garden, three to Agricultural Experiments, and the remainder to the Buildings of the Institution and Grounds for Gymnastic Exercises of Students and pupils. It is thus intended, that the valuable course of Lectures given in the Normal School in Vegetable Physiology and Agricultural Chemistry, shall be practically illustrated on the adjoining Grounds, in the culture of which the students will take part during a portion of their hours of recreation.

The system of Instruction and Discipline adopted in this Institution, is founded upon Christian Principles, and, I hope, pervaded, to a great extent, by a Christian spirit ; and though free from the slightest tinge of sectarianism in its management, the provision made for

watching over the moral interests of the Students and their Religious Instruction, has been found, during the last three years, to be more effective than that of any other public Educational Institutions with which I am acquainted. The principles on which the Normal School is established and conducted, form the basis of our whole System of Public Elementary Instruction for Upper Canada,—a System which recognizes Christianity as an essential part of education, and unites the Clergy with their people in providing for it, and in imparting it,—a System, in support of the Teachers of which alone, the people of Upper Canada have, during the last year, (according to returns which are being prepared, and which will shortly be laid before Parliament) paid by self imposed taxation, the sum of Eighty-eight thousand, four hundred and twenty-nine pounds, (£88,429=$353,716) besides Fourteen Thousand, one hundred and eighty-nine pounds, (£14,189=$56,756,) for the erection of School Houses, and which includes in its 3,059 Schools, 151,891 children.

The Institution, the Chief Corner Stone of which your Excellency has graciously consented this day to lay, is erected by a public grant of Fifteen Thousand Pounds (£15,000=$60,000), an enlightened liberality for this object on the part of our Legislature, in advance of that of any other Legislature on the American Continent,—a liberality which, I trust, will be more than justified by the practical and simple, but comprehensive, operations of the System of which it is the mainspring and the exponent.

In furtherance of the same great object, arrangements have recently been made, and will be carried into effect into the course of a few months, by which Maps, School Books, and every description of School Apparatus, will be provided for and rendered accessible upon the same terms to all the Public Schools of Upper Canada; also Books for Libraries, including a large selection of the Books best adapted for Popular Reading that issue from both the British and American press. By the arrangements which have been entered into, and which have been effected in England by the aid of the Imperial Government, through the cordial and active exertions of Lord Grey, the Colonial Secretary,—these facilities for school improvement and general knowledge will be rendered accessible to the Municipal and School Authorities throughout Upper Canada at an average expense of more than twenty-five per cent. less than they could have otherwise been procured, if procured at all;—facilities which obstacles hitherto insuperable, have prevented any Education Department in the neighbouring States from providing for the advancement of popular education and the diffusion of useful knowledge.

It is my gratifying duty, Your Excellency, to add, that this Normal School has been established; that these Buildings are in the course of erection, that General Regulations for Schools are adopted, and Books selected, by the aid, and under the direction, of a Council of Public Instruction, whose proceedings have been harmoniously conducted from the commencement, and the Members which, with one exception, receive no other remuneration than the gratitude of their Countrymen and the pleasing consciousness of promoting its educational interests in every way in their power.

Among the influences which have contributed to the gratifying spectacle of this day, not the least is the deep interest which Your Excellency has always manifested in the education of the Canadian people; and I doubt not, that in all time to come, the recollection of the educational progress of Canada under the fostering auspices of your Government will be a source of real pleasure to Your Excellency.*

NOTE.—It is due to Lord Elgin here to recall what was the opinion formed of this distinguished Governor General by those who had personal knowledge of, and intercourse with, him. In a Letter from the Honourable William H. Draper, C.B., to Doctor Ryerson, dated the 22nd of February, 1847, he thus referred to the Governor-General:—

"As far as my opportunities of judging go, I think Canada will find cause of satisfaction in having Lord Elgin for a Governor. He is industrious in habit, pleasing in manner, extremely courteous and affable in bearing. I find him also diligent and shrewd in inquiry; and the observations which fall from him show that he has studiously kept pace with the great questions of the day, (I do not mean our Canadian politics simply), and besides the cultivation of classical education in its broader sense, he possesses a mind stored with facts bearing on and illustrative of those questions. In these respects, or more correctly speaking in the latter, and as regards trade and finance, he reminds me more of Lord Sydenham than any other Governor-General of my time. I think he possesses also caution and firmness;—that he will not resolve hastily, that he may not have to change his resolves. He has large ideas of the capabilities and resources both of Canada and of the British North American Provinces, and, as it strikes me, without any reference to a political union of these Provinces, thinks that a course might be taken to develop the whole, by separate parts taking a common course in matters in which they have a common interest—internal communication, favourable to our European commerce and connections will serve as an illustration of the sort of questions to which I allude."

Subsequently, Doctor Ryerson met Lord Elgin in Montreal, and, in a Letter to me, dated 24th July, 1847, he said:—

"At his own request I have had an interesting interview with Lord Elgin. He is exceedingly well versed in systems of education, and is a thoroughly practical man on the subject."

My own opinion, in regard to Lord Elgin, is expressed in the "Ryerson Memorial Volume," page 80, as follows:—

"I recall with pleasure the great services which Lord Elgin rendered to the cause of education at a critical period of its history in this Province. His Speeches and Addresses on the subject at that time had a wonderful effect in moderating, the opposition which Doctor Ryerson received while laying the foundations of our System of Education. They had also the potent effect of popularizing that system in the estimation of the people which it was designed to benefit. That popularity has, happily, continued, thanks in a great degree to the dignity imparted to the subject by the persuasive eloquence of Lord Elgin. His eminence, as a distinguished Graduate of Oxford, and his general knowledge of European systems of education, enabled him to speak with a precision and certainty, which few could gainsay. It was a gratifying fact that he identified himself personally, as well as officially, throughout the whole of his seven years' administration, with the general education and intellectual improvement of the people of Canada. The first Bill to which His Excellency assented in the Queen's name was the School Act of 1850."

There are four circumstances which encourage the most sanguine anticipations in every patriotic heart in regard to our educational future.

The first is, the avowed and entire absence of all party spirit in the school affairs of our Country, from the Provincial Legislature down to the smallest Municipality.

The second is, the precedence which our Legislature has taken of all others on the western side of the Atlantic, in providing for Normal School instruction, and in aiding Teachers to avail themselves of its advantages.

The third is, that the people of Upper Canada have, during the last year, voluntarily taxed themselves for the salaries of Teachers in a larger sum, in proportion to their numbers, and have kept open their Schools on an average, more months, than the neighbouring citizens of the old and great State of New York.

The fourth is, that the essential requisite of a series of suitable and excellent Text-books has been introduced into our Schools, and adopted almost by general acclamation, and that the facilities of furnishing all our Schools with the necessary Books, Maps and Apparatus, will soon be in advance of those of any other Country. I confidently hope, therefore, by the Divine Blessing, that many assembled on the present important occasion will live to see Canada compare as advantageously with other portions of America in the Christian Education and general intelligence of her people, as she now does in the specimens of her latent resources and productive industry and enterprise at the World's Exhibition in London.

The Reverend Doctor Ryerson's Address having been handed to the Governor General, His Excellency replied as follows :—*

Reverend Doctor Ryerson, I thank you, Sir, for the very courteous reference to my attendance upon this occasion, which you have introduced into the Address which you have just now read. I come here, Sir, to day, in the discharge of what is to me a most agreeable duty, and I beg, Sir, to say that the gratification which I experience in the discharge of that duty is greatly enhanced by the very gratifying and interesting account of the progress and prospects of Common School Education in Upper Canada, which you have had in your power to furnish.

I certainly think that no Government, which is conscious of its own responsibilities, can possibly feel indifferent to an Institution such as that of which we are now about to lay the Foundation Stone ; an Institution which promises, under God's Blessing, to exercise so material an influence in the formation of the mind and character of the rising generation of the Province, and, through that powerful instrumentality, upon its destinies and its future :—an Institution, too, allow me to remark, which we must not regard as a novelty, or an experiment, but one which has already,—and on this point I may speak in some measure from my own experience, for I have had opportunities of observing the skill of the Masters and the proficiency of the Students in the Normal School,—established its claims to the confidence of the people of the Province.

Although, therefore, Sir, I am of opinion that there are limits,—and pretty narrow limits, too,—beyond which the interference of Government in matters of Education cannot be carried without hazard to those great interests which it is its desire to foster and protect, I think that an Institution, such as this, has special claims upon its countenance and support, and that I am, therefore, not transcending those limits, but, on the contrary, that I am confining myself strictly within them, when I consent to take the prominent part in the Ceremonial of this day, which has been assigned to me.

Sir, I observe that in the early part of this Address you remark that,

"The special education of Teachers is an essential element in the Systems of Public Instruction of all Countries, in which the general education of the people is regarded as a matter of National importance; and that experience has shown the necessity and advantage of a preparatory course of instruction and practice for the profession of teaching, as well as for the other Professions and Trades, which are demanded by the necessities of every civilized community."

Sir, nothing can be more unquestionably true than these sentiments. But, perhaps, I may be permitted to observe that their truth has not been at all times recognized.

It has often appeared to me that, within the whole range of human experience, it would be difficult to point out a more flagrant,—a more instructive,—instance of the error of putting

* No one can read this Address of the late Lord Elgin without being struck with the clearness and beauty of its style,—its elevated and patriotic tone, and, in the latter part of it, the eloquent pathos of his appeal to Ministers of Religion "to take their stand with us," in caring for the lambs of the flock, and in leading "them to those pastures and streams where they will find the food of life and waters of consolation."

he effect before the cause, than was exhibited in the course pursued by the friends of education in England and other Countries, who. for a series of years, busied themselves in building Schools, and endeavoring to induce children to attend those Schools, without ever inquiring whether competent persons to conduct them could be procured, and without taking any efficient and vigorous steps to supply the admitted want of competent Teachers.

Sir, it appears to me, that, in this instance, as in many others,—this young Country has had the advantage of profiting by the experience of older Countries,—by their failures and disappointments, as well as by their successes, and that experience, improved by your diligent exertions and excellent judgment, (for I should neither satisfy my own feelings, nor the claims of justice, if I were not, on this occasion, to express my high sense of the ability and the zeal with which you have conducted the important Department which has been committed to your care) ; I say, that experience, so improved and fortified by the support of the Council of Public Instruction, the Government and the Parliament of the Province, has enabled Upper Canada to place itself, (as you have justly observed in your Address,) in the van among the Nations in the great and important work of providing an efficient System of General Education for the whole community.

And now, let me ask this intelligent audience, who have so kindly listened to me up to this moment,—let me ask them to consider, in all seriousness and earnestness, what that great work really is. I do not think that I shall be chargeable with exaggeration when I affirm that it is *the* work of our day and generation;—that it is the problem in our modern society which is most difficult of solution ;—that is the ground upon which earnest and zealous men unhappily too often, and in many Countries, meet, not to co-operate, but to wrangle; while the poor and the ignorant multitudes around them are starving and perishing for lack of knowledge.

Well then, how has Upper Canada addressed herself to the execution of this great work ? How has she sought to solve this problem,—to overcome this difficulty ? Sir, I understand from your statements,—and I come to the same conclusion from my own investigation and observation,—that it is the principle of our Common School Educational System ; that its foundation is laid deep in the firm rock of our common Christianity. I understand, Sir, that, while the varying views and opinions of a mixed religious society are scrupulously respected,—while every semblance of dictation is carefully avoided,—it is desired, it is earnestly recommended, it is confidently expected and hoped, that every child who attends our Common Schools, shall learn there that he is a being who has an interest in eternity as well as in time;—that he has a Father towards whom he stands in a closer and more affecting, and more endearing relationship than to any earthly Father, and that that Father is in Heaven ; that he has a hope for transcending every earthly hope,—a hope full of immortality,—the hope, namely, that the Father's Kingdom may come; that he has a duty which, like the sun in our celestial system, stands in the centre of his moral obligations, shedding upon them a hallowing light, which they, in their turn, reflect and absorb;—the duty of striving to prove by his life and conversation the sincerity of his prayer, that that Father's will may be done upon earth, as it is done in Heaven.

I understand, Sir, that upon the broad and solid platform which is raised upon that good foundation, we invite the Ministers of Religion, of all Denominations,—the *de facto* spiritual guides of the people of the Country,—to take their stand along with us. That, so far from hampering, or impeding, them in the exercise of their sacred functions, we ask,—and we beg them, to take the children,—the lambs of the flock, which are committed to their care,—aside, and to lead them to those pastures and streams where they will find, the food of life and the waters of consolation.

Ladies and Gentlemen, this is not the fitting, or proper, time to enter into details. Indeed, I have not voice, or strength, to enter now at any length into the details of the excellent system of secular education which is provided in our Common Schools. When, however, you tell us, Sir, that an increasing supply is going forth, from year to year, from this Normal School, of well qualified Teachers ;—that you have procured in abundance, excellent, well selected, and cheap Text-books ;—that Libraries in connection with the Common Schools, are being multiplied all over the Country;—and, above all, that the zeal of the people themselves in the cause of education, is evinced by the augmented taxation, self-imposed, for the promotion of that great object ; when you tell us all this, I feel that little is wanting to fulfil the desires of the most ardent philanthropist and lover of education ; I feel that if these influences are left to operate freely,—if no untoward causes arise to disturb them,—they must eventually leaven the whole mass of our society.

Permit me, then, without detaining you any further from what is the special business of the day,—permit me, in conclusion, to say, both as an humble Christian man, and as the head of the Civil Government of the Province, that it gives me unfeigned pleasure to perceive that the youth of this Country of all Denominations, who are destined in their maturer

years to meet in the discharge of the duties of civil life upon terms of perfect civil and religious equality,—I say it gives me unfeigned pleasure to hear and to know, that they are receiving an education which is fitted so well to qualify them for the discharge of those important duties ; and, that, while their hearts are yet tender, and their affections green and young, they are associated under conditions which are likely to promote among them the growth of those truly Christian graces, — mutual respect, forbearance and charity.

At the close of His Excellency's remarks, the Right Reverend Doctor de Charbonel presented to the Governor General, on behalf of the Council of Public Instruction, a Silver Trowel, addressing His Excellency as follows :—

Monseigneur,—Je suis très heureux et très honore d'avoir été choisi par le Conseil de l'Instruction Publique, dont sent Excellence a daigné me fair Membre, pour lui présenter cette Truelle d'argent, aux industrieuses emblèmes due blazon des Bruces.

L'établissement dont Votre Excellence va poser la Pierre Angulaire, Monseigneur, sera un des plus glorieux monuments de tout ce que son liberal Government aura fait pour la prospérité de ce Pays and aedificationem.*

* My Lord :—

"It affords me much pleasure, and I esteem it a great honour, to have been chosen by the Council of Public Instruction,—of which your Excellency has condescended to make me a Member,—to present to you, on their behalf, this Silver Trowel, engraved with the industrious emblem of the Arms of the Bruces.

"The Institution of which your Excellency is about to lay the Corner Stone, is destined to be My Lord, one of the most glorious monuments amongst all those which your liberal Government has devised for the prosperity of this Country."

The Trowel was beautifully carved, having on the blade the armorial bearings of the Earl of Elgin, in ornamental characters. It also has the following inscription :

THE CHIEF CORNER STONE

OF

THE NORMAL AND MODEL SCHOOLS AND EDUCATION OFFICES FOR UPPER CANADA,

WAS LAID ON

WEDNESDAY, THE SECOND DAY OF JULY, 1851,

IN THE FIFTEENTH YEAR OF THE REIGN

OF

HER MOST GRACIOUS MAJESTY QUEEN VICTORIA,

BY

THE RIGHT HONOURABLE THE EARL OF ELGIN AND KINCARDINE, K.T.,

GOVERNOR GENERAL OF BRITISH NORTH AMERICA.

On the reverse was :—

PRESENTED

TO

THE RIGHT HONOURABLE THE EARL OF ELGIN AND KINCARDINE, K.T.,

BY

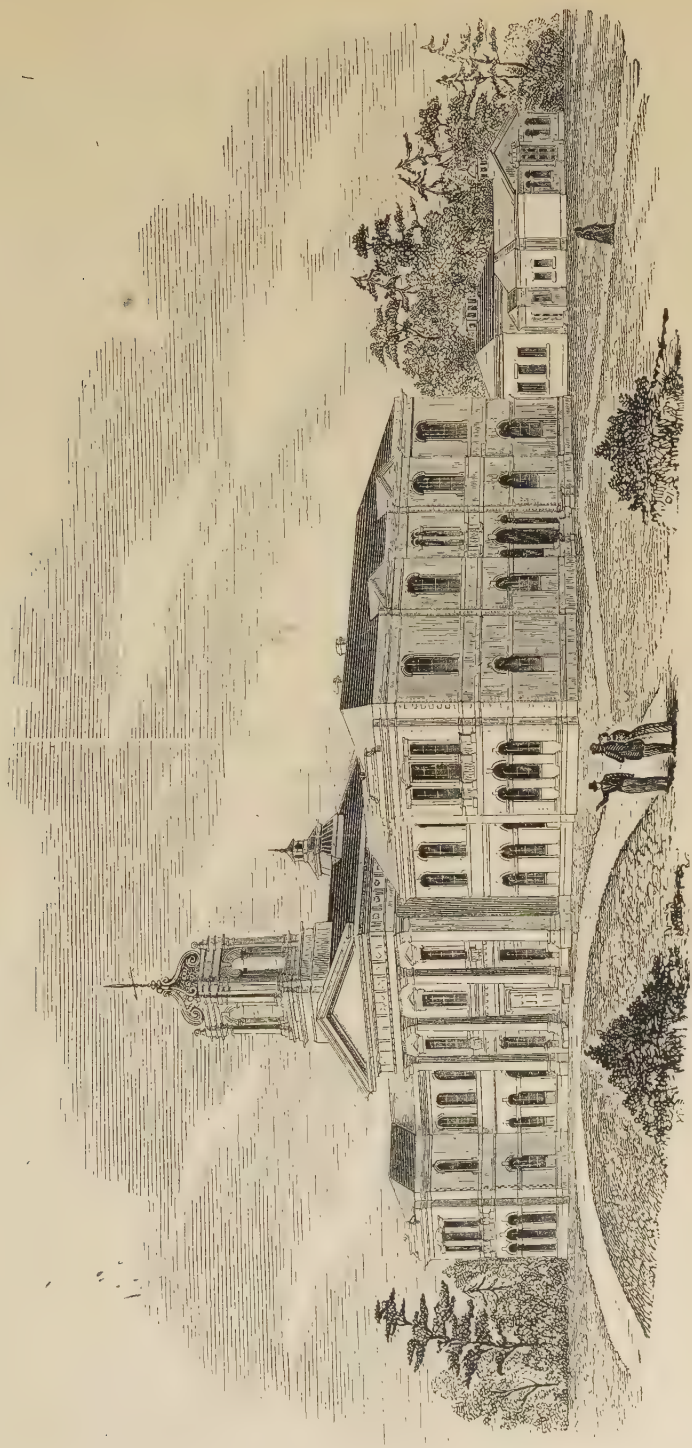
THE COUNCIL OF PUBLIC INSTRUCTION

FOR UPPER CANADA,

TORONTO, 2ND OF JULY, 1851.

The edges near the centre of the blade of the Trowel were ornamented with frosted leaves, in the midst of which, on each side, was a spider set in gold,—emblematical of the ancient tradition of the Family of the Bruces.

The Handle was of burnished silver, ornamented with a frosted wreath, consisting of the Rose, Shamrock, Thistle and Maple Leaf ; the whole being set in a socket of frosted silver leaves. On the extreme end of the handle rested a richly ornamented Coronet, beautifully wrought in silver and gold ; and at the base a wreath of frosted silver, around which entwined the Rose, Shamrock, Thistle and Maple Leaf.



FRONT PERSPECTIVE OF THE EDUCATIONAL DEPARTMENT BUILDINGS ERECTED IN 1851.

His Excellency and the Council of Public Instruction then descended to the Stone, where the inscription on the plate was read by Mr. Joseph C. Morrison, M.P.P., as follows :

THIS
THE CHIEF CORNER STONE
OF
THE NORMAL AND MODEL SCHOOLS AND EDUCATION OFFICES FOR UPPER CANADA,
WAS LAID ON
WEDNESDAY, THE SECOND DAY OF JULY, 1851,
IN THE FIFTEENTH YEAR OF THE REIGN
OF
HER MOST GRACIOUS MAJESTY QUEEN VICTORIA,
BY
THE RIGHT HONOURABLE THE EARL OF ELGIN AND KINCARDINE, K.T.,
GOVERNOR GENERAL OF BRITISH NORTH AMERICA,
IN THE PRESENCE OF
THE PRESIDENT AND MEMBERS OF THE EXECUTIVE COUNCIL,
THE SPEAKER AND MEMBERS OF THE LEGISLATIVE COUNCIL,
THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY,
THE CHAIRMAN AND MEMBERS OF THE COUNCIL OF PUBLIC INSTRUCTION,
THE MAYOR, MUNICIPAL COUNCIL AND CITIZENS OF THE CITY OF TORONTO.

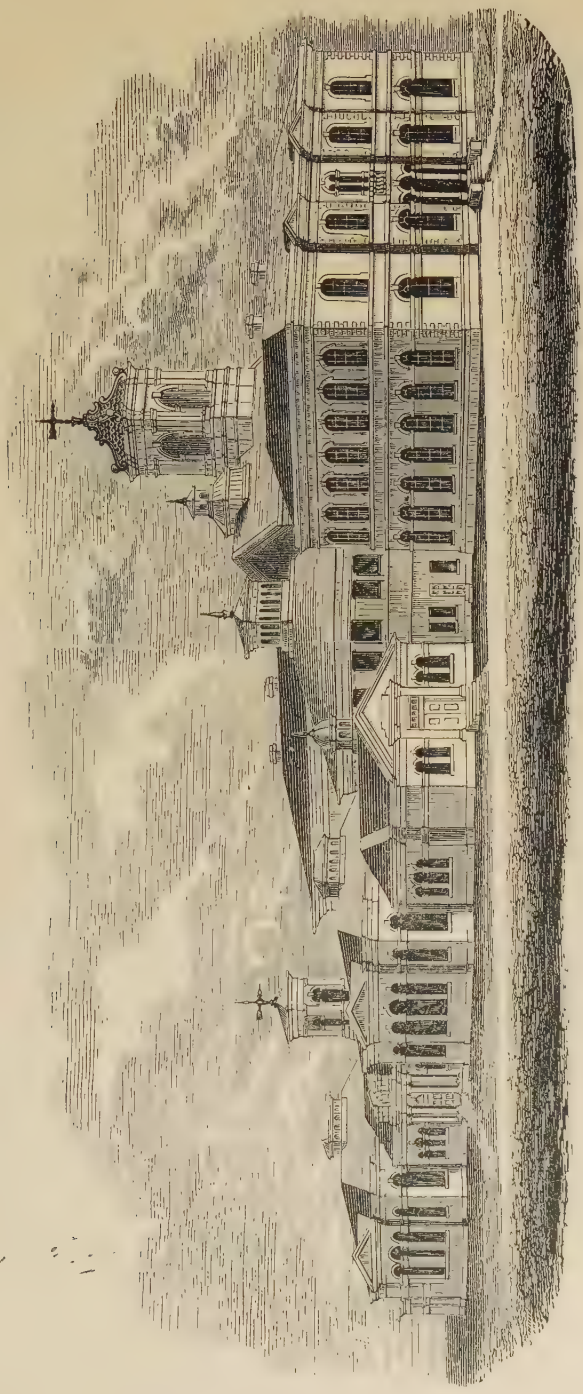
THIS INSTITUTION,
ERECTED BY THE ENLIGHTENED LIBERALITY OF PARLIAMENT,
IS DESIGNED FOR THE
INSTRUCTION AND TRAINING OF SCHOOL TEACHERS UPON CHRISTIAN PRINCIPLES.

THE COUNCIL OF PUBLIC INSTRUCTION, FOR UPPER CANADA ;
THE REVEREND EGERTON RYERSON, D.D., CHIEF SUPERINTENDENT OF EDUCATION,
THE HONOURABLE SAMUEL BEALY HARRISON, Q.C , CHAIRMAN.
THE RIGHT REVEREND A. F. M. DE CHARBONELL, D.D., ROMAN CATHOLIC BISHOP OF TORONTO.
THE REVEREND HENRY JAMES GRASETT, A.M.
JOSEPH CURRAN MORRISON, ESQUIRE, M.P.P.
HUGH SCOBIE, ESQUIRE.
JAMES SCOTT HOWARD, ESQUIRE.
THE REVEREND JOHN JENNINGS, D.D.
THE REVEREND ADAM LILLIE, D.D.

JOHN GEORGE HODGINS, ESQUIRE, RECORDING CLERK.
FREDERIC W. CUMBERLAND AND THOMAS RIDOUT, ESQUIRES, ARCHITECTS.
MESSIEURS METCALFE, WILSON AND FORBES, CONTRACTORS.

Enclosed also in a Bottle were the following :—

1. Report by the Superintendent of Education on a System of Public Elementary Instruction for Upper Canada, 1846.
2. *Journal of Education for Upper Canada*, of August, 1849, containing the Annual Report of the Normal, Model and Common Schools in Upper Canada for 1847, including an account of the Opening of the Normal School in November, 1847.
3. Common School Act of 1843, 7th Victoria, chapter 29.
4. Common School Act of 1846, 9th Victoria, chapter 20.
5. Common School Act of 1847, 10th and 11th Victoria, chapter 19.
6. Common School Act of 1850, 13th and 14th Victoria, chapter 48, with Forms, Regulations, Instructions, and Circulars.
7. Parchment copy of the Inscription on the Plate deposited in the cavity of the Corner Stone.
8. *Journal of Education for Upper Canada* of May, 1848, containing an account of the first Examination of the Normal School.



SIDE VIEW AND PERSPECTIVE OF THE NORMAL, MODEL AND EDUCATION OFFICE BUILDINGS, ERECTED IN 1851.

9. Programme of the last Examination of the Normal and Model Schools, ending 31st May, 1851.
10. *Journal of Education for Upper Canada* of May, 1851, containing an account of the last Examination.
11. Scobie's Canadian Almanac for 1851.
12. Programme of the Ceremony observed at laying the Chief Corner Stone of the Building.
13. Sundry silver and copper Coins. 14. Different denominations of Canadian postage stamps.

The Bottle was handed by Mr. Hugh Scobie to His Excellency, who deposited it in the cavity of the Stone prepared for it; the Inscription Plate having been placed and His Excellency having spread the mortar with his silver Trowel, the Stone was then formally lowered to its bed:—His Excellency saying: "I declare this Stone to be the Chief Corner Stone of the Normal and Model Schools and Education Offices for Upper Canada." Mr. Cumberland, the Architect, then handed His Excellency the Square and Mallet, which he applied to the Stone in the usual way on such occasions.

Cheers were given for the Queen, for the Governor General, and for the Council of Public Instruction; in the midst of which His Excellency and the Countess of Elgin, accompanied by the Council of Public Instruction, retired, followed by the principal visitors.

The Architects' Description of the Buildings, with Engravings.

The Normal and Model Schools and Education Offices for Upper Canada, now in progress of erection,—are situated upon the centre of an open square, bounded on the north by Gerrard Street, on the east by Church Street, on the South by Gould Street, and on the west by Victoria Street, in the City of Toronto. The distance from the bay is about three quarters of a mile. The situation is considerably elevated above the business parts of the city and commanding a view of the Bay, Peninsula, and Lake. The square, which contains Seven Acres and a half of ground, was purchased in August, 1850, from the Honourable Peter McGill, of Montreal, by the Council of Public Instruction, for Four Thousand five hundred pounds, (£4,500 = $18,000.) The estimated value of the property is about One hundred dollars per acre. The amount of the Legislative Grant for the purchase of the Site and the erection of the Buildings, was Fifteen thousand pounds, (£15,000 = $60,000 [afterwards increased by £10,000.] The amount of the Contract for the erection and completion of the Building, is £8,790, exclusive of Extras, Architects' commission, warming.

In a Building of so great an extent, it appeared to be neither desirable, nor expedient, to adopt a rich, or highly finished, style of embellishment. The whole has been designed with a view rather to utility than for effect, care being taken, however, to maintain that fitness of decoration by which the purpose and importance of the Institution may be characterized and upheld.

The principal Building, as seen in the front perspective, will be 184 feet 4 inches frontage, by a depth on the flanks, east and west, of 85 feet 4 inches.

The front is in the Roman Doric Order of Palladian character, having for its centre four pilasters of the full height of the building, with pediment, surrounded by an open Doric Cupola, of the extreme height of 95 feet. The principal entrance (to the Offices of the Education Department, is in this front, those for the male and female students being placed on the east and west sides respectively. In the centre of the Building is a large Central Hall (open to the roof, and lighted by a Lantern), with a gallery around it, at the level of the upper floor, approached on each floor by three corridors—south, east, and west—and opening on the north to the Theatre, or Examination Hall.

North of the Central Hall is the Theatre, or Examination Hall, with Lecturer's entrance in the centre, and side entrances, east and west, for male and female students respectively. Here the Aisles are marked with seats, arranged between them; the Lecturer's Platform being placed at the south end of the Hall. This portion of the Theatre is designed to accommodate 470 persons, and, including the Galleries 620. Around the Theatre, and beneath its gallery, are east and west corridors, by which the Students will reach the Model Schools. By this arrangement it will be seen that, except when actually in the presence of the Master, the male and female Students will be entirely separated. Passing, (by the corridors last named,) to the Model Schools which are 175 feet 6 inches, by 59 feet 6 inches, the Students enter the Boys' and Girls' Schools by doors to the east and west, each of which has a large School Room at its centre, 56 feet 6 inches x 33 feet, capable of accommodating 300 children, with four smaller class rooms adjoining it, about 17 feet x 15 feet 6 inches each. The Boys' and Girls' entrances, (like those of the Students of the Normal School already described), are at the east and west ends of the Building, such entrances having each a Hat and Cloak Room and Master's, (or Mistress') Room on either side. These Schools, therefore, will together accommodate 600 Children.

Returning to the Normal School, and passing to the upper floor, on the landing of the staircases are entrances to the Gallery of the Theatre, which is designed to accommodate 150 persons. On the upper floor is the Central Hall, with its gallery connecting the east and west Corridors, communicating with various Rooms:—

In addition to the accommodation thus enumerated, there are, in the basement, Rooms for the Residence of the Janitor, together with the Furnace Rooms, from whence warm air will be served to the whole Building. Great care has been bestowed upon the efficiency of the warming and ventilating, and it is confidently anticipated that the system adopted will be highly successful.

CHAPTER II.

PROCEEDINGS OF THE COUNCIL OF PUBLIC INSTRUCTION FOR UPPER CANADA, 1851.

January 20th, 1851.—No business of public interest was transacted.

January 23rd, 1851. A Letter was laid before the Council.—From the Acting Editor of the *Journal of Education for Upper Canada*, suggesting the propriety of furnishing each of the Students of the Normal School with a stitched Copy of the Third Volume of the *Journal of Education*, containing the School Act, Forms, Regulations and Instructions, etcetera. The Letter is as follows :

I have the honour to solicit your favourable consideration of the following proposition.

Believing that you are anxious to afford the Students of the Normal School every facility for becoming acquainted with the position they shall occupy in their relation to the Schools of the Province, after they shall have left that Institution, and entered upon their duties as regularly qualified Common School Teachers, you, no doubt, would also be desirous of affording them opportunities for the acquisition of knowledge upon the subjects which they are required to teach in the Schools.

The Journal of Education has been specially devoted, among other things, to the diffusion of information upon the all important subject of a School Teacher's Profession,—an intimate acquaintance with which is no less essential to their complete training and fitness for the discharge of their duty than as a knowledge of the various scientific and other branches to which the attention of the Students of the Normal School is being daily directed.

Indeed, one serious difficulty with which the Education Department of Upper Canada has had to contend, up to the present time, is the prevalance of a want of a just appreciation by Teachers, on the one hand, and by Trustees on the other, of the relations of each to the other, and of both to the State and to their constituents. To endeavour to remove this ignorance, to diffuse a more correct spirit and to incalculate habits of improved official intercourse among the various School Officers of Upper Canada, the *Journal of Education* was established upwards of three years ago. That that publication has effected much good, I have every reason to hope, and now in its new official character it may effect still more ; but, I regret to say, that the Teachers of the Province have not availed themselves of its advantages to the extent which it was supposed they would have done.

To furnish the Teachers trained in the Normal School, therefore, with the information contained in the *Journal of Education*, I beg most respectfully to submit to the Council the propriety of ordering a stitched copy of the Third Volume (now compled) to be furnished to each Student under training during this Session of the Normal School. This Third Volume is a most important one for a Teacher to possess, as it contains, among other important Official Documents, a copy of the present School Law, of 1850, the Forms and Instructions under which they will be oblidged to perform their duties ; the General Regulations, etcetera, prescribed by the Council, as well as the Programme of the Examination and Classification of Common School Teachers generally, also prescribed by the Council ; and a copy of the Chief Superintendent's Circular, specially addressed to Common School Teachers ; besides various other papers of value and interest to those School Officers in the discharge of their duties.

Toronto, 18th of January 1851. J. George Hodgins, Assistant Editor.

The Letter of the Acting Editor of the *Journal of Education* was discussed, and it was,—

Ordered, That, with a view to diffuse educational information, and promote it as much as possible, the proposition contained in the Acting Editor's Letter be acceded to.

The Council, having had under review the subject of the erection of the Normal and Model Schools and Education Offices, and deeming it indispensible that the Buildings should be covered with slate and tin, and that a stone cornice be substituted, for the proposed wooden one, on the front and flanks of the main Building, together with a Cornice in the Theatre, in accordance with the Architects' drawing, it was,—

Ordered, That, for the full completion of the work of building with these additions, the Council will pay the sum of Eight Thousand, Seven hundred and fifty pounds, (£8,750.)

Ordered further, That, as Messieurs Metcalfe, Wilson and Forbes' original tender for erecting the Building, being Eight Hundred and forty-nine pounds, (£849,) under the next lowest tender, and as they offer to perform the work, thus altered, for the sum proposed by the Council, their offer be accepted, and that they be furnished with a copy of this Order.

Ordered, also, That the Deputy Superintendent of Education* be authorized to engage the Professional Services of Messieurs J. C. Morrison and S. Connor to prepare and see executed the Contract of the Council with the Builders, and that it, together with a copy of the Specifications, be deposited in the Education Office.

Ordered, further That the Deputy Superintendent of Education be authorized to pay Mr. F. C. Lowe Eighteen pounds, (£18,) for wood Engravings of the front and side perspective views of the Building, Ground Plan, Plan of Second Story and a plan of the Grounds surrounding the Building.

March 15th, 1851.—The Correspondence between the Deputy Superintendent of Education and Messieurs Cumberland and Ridout, the Architects, which took place since the last Meeting of the Council, on the subject of fixing the exact Site of the Normal School and Education Office Building was submitted by him and read. It was to the effect that the Site, as proposed by the Architects, be placed at least One Hundred and twenty feet from the line of Gould Street, and that the Architects take immediate steps to have a survey made of the actual Site. It was then,—

Ordered, That the directions given in the Deputy Superintendent's Letter as to the Site and its survey be concurred in.

The Contractors for the erection of the Normal and Model Schools and Education Offices, having stated, that, in their Estimates for the substitution of a Slate roof for a shingled one, they did not include the out-buildings. It was,—

Ordered, That the Roofs of these out-buildings be covered with Slate, in conformity with the main Building, and that the Contractors be allowed the difference of price in the Contract on the estimate of the Architects.

March 25th 1851. The subject of the appointment of a Clerk of Works, postponed from last Meeting, having been considered, it was,—

Ordered, That a competent person be engaged by the Council to act as Clerk of Works during the erection of the Normal and Model Schools and Education Office Buildings, at an allowance not exceeding Ten shillings per working day ; and that Messieurs Joseph C. Morrison and James S. Howard be a Committee to make the appointment of such Clerk, subject to the approval of the Council.

The Bar of Dower, executed by Mrs. McGill for the property recently purchased by the Council for the Site of the Normal and Model Schools and Education Offices, having been transmitted by the Honourable Peter McGill, of Montreal, and laid before the Council ; it was,—

Ordered, That the Deputy Superintendent of Education have the same registered and transferred to the proper Department of the Government for safe custody

Ordered, That an Agriculturist be engaged by the Council at an allowance not exceeding One Hundred pounds (£100,) per annum, and that Messieurs Joseph C. Morrison, James S. Howard and the Reverend John Jennings be a Committee to make the appointment, subject to the approval of the Council.

April 9th, 1851.- The Committee appointed at the last Meeting of the Council to make a selection of a Clerk of Works and an Agriculturist reported, that they had made no definite appointment ; but that they were in favour of Mr. John Tully as Clerk of Works, and of Mr. Patrick Scully as Agriculturist. It was then,—

Ordered, That Mr. John Tully be appointed to the situation of Clerk of Works, on the terms specified in the Order passed on the subject at the last Meeting of the Council, to see that the Buildings of the Normal and Model Schools and Education Offices are carried on and completed, in accordance with the Contract and Plans and Specifications of the Architects. This order is not to be understood as at all relieving the Architects from the proper oversight and responsibility which attaches to them.

Ordered, That Mr. Patrick Scully be appointed as Agricultural Superintendent of the Normal School Grounds at a Salary of Seventy-five pounds (£75), per annum, commencing on the first of next May.

Ordered also, that Messieurs Samuel B. Harrison, Joseph C. Morrison and James S. Howard be a Committee for the purpose of laying out the Normal School Grounds.

Ordered, That the Committee appointed to superintend the laying out the Grounds be also a Committee to make the necessary arrangements and directions in the introduction of Gas pipes through the Normal and Model Schools and Education Offices.

* In the absence of the Chief Superintendent of Education, the Deputy Superintendent took his place in the Council of Public Instruction, as provided by School Act of 1850.

Ordered, That the Masters of the Normal and Model Schools be required to furnish full annual Reports of the whole state of their separate Schools by the next Meeting of the Council, and that they offer any suggestions for alterations and improvements which they may think proper.

The subject of the Annual Report of the Normal and Model Schools was considered, and it was,—

Ordered, That Messieurs Hugh Scobie, Reverend John Jennings and Mr. J. George Hodgins, the Deputy Superintendent of Education, be a Committee to prepare the same to lay it before the Council at a future Meeting.

April 12, 1851.—A Communication was laid before the Council, from Messieurs Cumberland and Ridout, the Architects, objecting to the appointment of Mr. John Tully as Clerk of Works. The following Order was passed thereon :

The Council, in the appointment of a Clerk of Works, intended to restrict that Officer to the ordinary duties intrusted to such a person, and, in intimating the appointment to the Architects, they expressed what they conceived the duties of the Clerk of Works to comprize. They are apprehensive, from the tenor of the Letter of the Architects, that, in conveying the intimation of the appointment they have overstepped the usual bounds, and they now resolve that there was, and is, no other intention than that the Clerk of Works should be employed under all the usual restrictions, and subject to the usual authority and direction in such cases.

April 15*th*, 1851.—A further Communication from the Architects was laid before the Council on the subject of the appointment of Mr. John Tully as Clerk of Works at the Normal and Model Schools building.

The Council finding, from the Architects' Communication of this date, that those Gentlemen do not conceive themselves warranted in becoming responsible for the efficient discharge of the duties attached to the Office of Clerk of Works by Mr. Tully, regret much that their duty compels them to cancel the appointment of that Gentleman.

Ordered further, That the sum of Seventy-five pounds (£75,) be appropriated for the payment of a Clerk of Works for the erection of the Buildings, and that the Architects do recommend the names of proper persons to perform that duty, for selection by the Council.

April 17*th*, 1851.—The following communications were laid before the Council, (1), From the Architects, submitting the names of persons for the Office of Clerk of Works ; (2), From the Recording Clerk to the Council, applying for the restoration of his former salary.

Ordered, That the Chief Superintendent of Schools be, *ex-officio*, a Member of all special Committees of the Council involving the outlay of money.

April 19*th*, 1851.—Ordered, That Mr. Thomas Storm be appointed Clerk of Works and that said appointment be held during the pleasure of the Council. If Mr. Storm be continued until the completion of the Works, he shall receive Seventy-five pounds (£75,) ; but if, at any time, his appointment be cancelled, that he receive Seven shillings and Six pence for each working day he shall have been on duty.

The application of the Recording Clerk for restoration of former allowance for extra services of £25 per annum was deferred until the return of the Chief Superintendent of Education.

April 25*th*, 1851.—The following communications were laid before the Council, (1), From Mr. Thomas J. Robertson, the Head Master of the Normal School, inclosing a Letter from Mr. Henry Y. Hind, the Mathematical Master, reporting irregularity of conduct on the part of Jacob Carey, a student at the Normal School ; (2), From the Head Master, submitting a plan for conducting the ensuing Examinations in the Normal and Model Schools ; (3), From the Mathematical Master, submitting suggestions as to certain improvements to be made in the Normal and Model School Grounds.

The Letter of the Head Master of the Normal School, respecting the mode of conducting the ensuing Examinations, having been considered, it was,—

Ordered, That the plan proposed by the Head Master for conducting the ensuing Examination of the Students of the Normal School, by means of printed Questions, be approved.

Ordered further, That, in regard to His Excellency the Governor General's Prizes in Agricultural Chemistry,* the following Gentlemen be requested to act with the Masters of the Normal School in preparing Questions on Agricultural Chemistry, etcetera; and in conducting such Examinations under the Regulations adopted on the 20th day of February, 1849,† namely: Mr E. W. Thompson, President of the County of York Agricultural Society; Mr Henry H.

* For the nature of the Examination for these Prizes, see pages 252, 253 of the Eighth Volume of this Documentary History.

† For these Regulations, see page 252 of the same Volume.

Croft, the Professor of Chemistry in the University of Toronto; and the Secretary of the Provincial Agricultural Association; and that the Recording Clerk be authorized to have the necessary Examination Papers printed.

Ordered, That there be added to the Programme of the Examination and Classification of Teachers,* the following :—"8. In regard to Teachers of French, or German ; that a knowledge of French, or German, Grammar be substituted for a knowledge of English Grammar, and that the Certificate of Qualification to the Teacher be expressly limited accordingly.

The Letter from the Mathematical Master to the Chairman of the Council, in reference to the improvement of the Grounds, with accompanying Drawings, having been submitted, it was,—

Ordered, That the matter be refered to the Committee for the laying out of the Grounds, to carry the same into effect as they may deem best, with the exception, in the meantime, of the planting of the Trees.

April 29th, 1851.—The Recording Clerk having laid before the Council the original Contract and Specifications for the erection of the Normal and Model Schools and Education Office Building, it was,—

Ordered, That the same be deposited in the Education Office for reference.

The Deputy Superintendent of Education having reported, that he had, in terms of the Order of the Council of the 3rd day of October last, (page 162 of the Eighth Volume) paid the Contractors Three Hundred pounds, (£300,) on their Contract, as per Architects' Certificate, Number 1, dated the 26th instant, and that the Contractors had applied for nearly Two-hundred pounds more, (£195.14.4,) for Extra Work, in terms of the Letter of the Architects, laid before the Council this day, it was,—

Ordered, That the sum of One Hundred and ninety-five pounds, fourteen shillings and four pence, (£195.14.4,) be paid to the Contractors, as per the Architect's Certificate Number 1,—being in full of all Extra Work performed at the Normal and Model Schools and Education Offices Building, up to the date of such Certificate.

May 6th, 1851.—The Deputy Superintendent of Education submitted Forms of Receipts for the Contractors and Architects, which were approved of by the Council.

Ordered, That the commission of five *per centum* be paid the Architects on the sums already paid out to the Contractors ; and that the said commission to the Architects, be paid them in future, on each payment to be made to the Contractors, at the times of making such payments respectively.

May 9th, 1851.—No business of public interest was transacted.

May 12th, 1851.—The subject of granting Certificates to the Students attending the Normal School having been considered, it was,—

Ordered, That the Students now at the Normal School receive Certificates at the end of the Session, in the same form as granted last Session ; and that, at present, it is not deemed advisable to give Provincial Certificates, as contemplated in the present School Act, of 1850.

May 23rd, 1851.—The subject of the approaching Examination of the Students in the Normal and Model Schools having been considered, it was,—

Ordered, That a Programme of the Examination of the Students and Pupils of the Normal and Model Schools be adopted, and that the usual Notes of invitation be addressed to the principal persons of the City, requesting their attendance at such Examination.

The Deputy Superintendent of Education reported, that, since the last Meeting of the Council he had paid to the Contractors Four hundred pounds, (£400,) and to the Architects Twenty pounds, (£20,) but no extras.

Ordered, That a Letter of invitation, enclosing a copy of the printed programme, be addressed to the Honourable Colonel Robert Bruce, Military Secretary, requesting the honour of His Excellency's presence on Thursday next, to distribute his Prizes in Agriculture Chemistry.

June 18th, 1851 The following Communications were laid before the Council : (1), from the Honourable Colonel Bruce, stating that His Excellency the Governor General's official duties would probably prevent him from attending the Normal School to distribute the Prizes in Agricultural Chemistry ; (2), from the Examiners for the Governor General's Prizes in Agricultural Chemistry in the Normal School, reporting the names and standing of the successfull Candidates for the Prizes ; (3), from Messieurs Cumberland and Ridout, Architects of the Normal and Model Schools and Education Offices Building, stating that they would be ready to have the Corner Stone of the Building, laid, as soon as the Council should decide to have it done, and upon the receipt of ten day's notice.

* See page 220 of the same Eighth Volume.

The Chief Superintendent of Education being present, reported that, since the last Meeting of the Council, Six hundred and fifty pounds, (£650,) had been paid to the Contractors for erecting the Normal and Model Schools and Education Offices, and Seventeen pounds, ten shillings (£17.10.0,) to the Architects, but no extras.

The subject of laying the Corner Stone of the new Normal and Model Schools, and Education Offices, having been considered, it was,—

Ordered, That the Ceremony take place on Wednesday, the 2nd of July next, at noon ; that the Stone be laid by His Excellency Lord Elgin, the Governor General, in state, and that the Cabinet Ministers and the various Public Bodies be respectfully invited to be present and take part in the Ceremony.

June 23rd, 1851.—The preparation of the Inscription plate and the Programme of the Procession at the Ceremony for laying the Corner Stone of the Normal and Model Schools, and Education Offices, having been considered, it was,—

Ordered, That the Reverend Henry J. Grassett, Mr. Hugh Scobie, the Reverend John Jennings, and Mr. Frederick Cumberland, (Architect,) be a Committee for preparing the Inscription and Programme, and for superintending the arrangements for the Ceremony of laying the Corner Stone, and that Circulars, etcetera, be prepared and printed, to be sent to the parties named in the Programme, requesting their attendance and to accompany the procession from the Houses of Parliament.

June 27th, 1851.—The Committee appointed at the last Meeting to draft a Programme and Inscription plate to be deposited in the cavity of the Corner Stone of the Normal and Model Schools and Education Offices, reported both. After some discussion and modification of the same, they were each adopted.

PROGRAMME OF PROCEEDINGS to be observed at the Ceremony of laying the Corner Stone of the new Normal and Model Schools, and Education Offices, for Upper Canada, by His Excellency the Governor General, on Wednesday, July the Second, One Thousand Eight hundred and Fifty-one :

NOTE.—No formal Procession is to take place ; but the parties invited to witness the ceremony are requested to take up the positions assigned them, on reaching the Site.

I. Reception of His Excellency the Governor General by the Members and Officers of the Council of Public Instruction for Upper Canada,—the Band of the 71st Highlanders playing the National Anthem.

II. Prayer to be offered up by the Reverend Henry James Grasett, M.A., a Member of the Council.

III. Address to the Governor General by the Reverend Doctor Egerton Ryerson, Chief Superintendent of Education for Upper Canada.

IV. Reply by His Excellency the Governor General.

V. Silver Trowel to be presented by the Right Reverend Doctor Armand François Marie de Charbonell, Roman Catholic Bishop of Toronto, on behalf of the Council of Public Instruction.

VI. Inscription on the plate to be read by Mr. Joseph Curran Morrison, Member of the Provincial Parliament, and a Member of the Council.

VII. The Bottle containing Parchment, Coins, Documents, etcetera, to be presented to His Excellency by Mr. Hugh Scobie, a Member of the Council.

VIII. The Bottle, Inscription Plate, etcetera, to be placed by the Architect in the cavity of the Stone prepared for them ; and the Stone to be lowered to its bed.

IX. Presentation of the Square and Mallet to His Excellency by Mr. James Metcalfe of the firm of Messieurs Metcalfe, Wilson and Forbes, Contractors for the erection of the Building.

X. Corner Stone to be laid by His Excellency the Governor General,—the Band of the 71st Highlanders playing the National Anthem.

Ordered, That a Silver Trowel be presented to His Excellency the Governor General on the occasion of his laying the Corner Stone of the new Normal and Model Schools and Education Offices, and that there be a record of the presentation, etcetera, inscribed on the Trowel :—

Ordered, That the Chief Superintendent of Education be authorized to procure and have engraved the Silver Trowel referred to in the foregoing Order.

Ordered, That the Reverend Henry James Grasett, M. A. be requested to offer up prayer on commencing the Ceremony and that, the Right Reverend Doctor Armand Francois Marie de Charbonell, be requested to present the Silver Trowel to His Excellency the Governor General on behalf of the Council, and that the Chief Superintendent of Education be requested to deliver an Address to the Governor General on the occasion.

Ordered, That the necessary steps be taken to procure the attendance of the Band and Guard of Honour of the 71st Highlanders at the Site of the Building for the Reception of His Excellency, the Governor General.

July 1st, 1851.—The Chief Superintendent of Education reported that he had waited upon His Excellency Lord Elgin, the Governor General, in regard to the arrangements of the approaching Ceremony, and that His Excellency had been pleased to approve of the same ; he had also waited upon Sir Hew Dalrymple, Baronet, and had received his concurrence in the arrangements of the Council in regard to the Guard of Honour and the Band of the 71st Highlanders.

Ordered, That the Chief Superintendent of Education be authorized to employ a Special Reporter to attend at the Ceremony of laying the Corner Stone, and to report His Excellency's Speech and the General Proceedings of the day, with a view to obtain a printed record of the Proceedings of the Day for preservation in the Education Office.

July 23rd, 1851. The contents of the Bottle deposited in the cavity of the Corner Stone of the new building were reported, to the Council and approved.

The Chief Superintendent of Education, reported that he had, since the last Meeting of the Council, paid to the Contractors Five hundred pounds, (£500,) and to the Architects Twenty-five pounds, (£25,) ; also to the Contractors Three Hundred pounds, (£300,), and to the Architects Seventeen pounds ten shillings, (£17.10.0) ; but no extras.

The case of Mr. Archibald McCallum, in regard to his teaching Book-keeping in the Normal School for the past year having been considered it was,—

Ordered, That he be allowed Twelve pounds, ten shillings, (£12.10.0,) for that service.

July 31st, 1851. The Chief Superintendent of Education, having revised the Terms of Admission into the Normal School, submitted them, and they were adopted as follows:—

Revised Terms of Admission into the Normal School, 1851.

The Council of Public Instruction, anxious to adopt such measures as appear best calculated to render the training of Teachers in the Normal School as thorough as possible, and to diffuse its advantages over every County in Upper Canada, as equally, and as widely as possible, adopts the following Regulations in regard to the duration of the future Sessions of the Normal School, and the mode and terms of admitting and facilitating the attendance of Students at that Institution : It is, therefore,—

Ordered, I. That the next Session of the Normal School commence on the 19th day of August next, and terminate on the 15th day of April, 1852 ; and that hereafter, the semi annual Sessions of the Normal School shall commence on the 15th day of May and the 15th day of November of each year, [and, if these days fall upon Sunday, on the day following,] and be continued for a period of five months each, to be concluded by a Public Examination, and followed by a Vacation of one month in each case.

II. That no male Student shall be admitted under eighteen years of age, nor a female Student under the age of sixteen years. [2], Those admitted must produce a Certificate of Good Moral Character, signed by the Clergyman, or Minister, of the Religious Persuasion, with which they are connected ; [3], they must be able to read and write intelligibly, and be acquainted with the simple Rules of Arithmetic, and with the Elements of Geography and English Grammar ; [4], they must sign a declaration of their intention to devote themselves to the profession of School Teaching, and that their object in coming to the Normal School is to qualify themselves better for the important duties of that profession.

III. Upon these conditions, Candidates for School Teaching shall be admitted to all the advantages of the Institution without any charge, either for tuition, the use of the Library, or for the Books which they may be required to use in the School. Other professional Students may be admitted upon paying a fee of One pound, five shillings (£1: 5: 0) for attendance at an entire course of Lectures during one Session.

IV. The Teachers-in-training shall lodge and board in the city in such houses, and under such Regulations, as are approved of by the Council of Public Instruction.

V. A sum not exceeding Five shillings per week, towards defraying the expenses of board and lodging, shall be allowed, for the present, to Teachers-in-training, requiring assistance, on condition that they will engage to remain for a period of not less than one Session in attendance at the Normal School.

VI. That all Candidates for admission into the Normal School must present themselves during the first week of the Session, otherwise they cannot be admitted; and their continuance in the School is conditional upon their diligence, progress, and observance of the General Regulations prescribed by the Council.

VII. That all communications on the subject be addressed to the Reverend Doctor Ryerson, Chief Superintendent of Education, Toronto.

August 12th 1851.—The Chief Superintendent of Education reported that since the commencement of the contract for erecting the Normal and Model Schools and Education Offices, he had paid to the Contractors, Messieurs Metcalfe, Wilson and Forbes, and the Architects, the following sums:—

	£	s	d	£	s	d
Previously paid to the Contractors upon their Contract	2,200	0	0			
Paid for extra work up to this date	766	7	4½			
Paid Contractors upon their Contract since last Meeting	500	0	0			
				3,466	7	4½
Previously paid Architects' Commission	148	1	3			
Paid Architects since last Meeting	25	0	0			
				173	1	3
Paid Clerk of Works, by Order of Council				18	15	0
Total paid of the £15,000 for erecting Normal School up to this date				£3,658	8	7

The Chief Superintendent of Education, having reported the expiration of the term during which the Temperance Hall was occupied by the Normal School, it was,—

Ordered,—That he be requested to renew the engagement for such portion of the approaching Session, and on such terms as he can effect.

The Recording Clerk of the Council having laid on the Table a copy of all the Standing Rules and Orders of the late Board of Education for Upper Canada, and Time Tables of the Masters of the Normal School with the Course of Study in that Institution, it was,—

Ordered,—That they be referred to the Chief Superintendent of Education, with a view to their examination, revision, and report, with power, however, to prepare any Rules for the approaching Session of the Normal School as he may deem expedient and useful.

October 1st, 1851.—The Chief Superintendent of Education submitted the following statement of the funds for procuring a Site and erecting Buildings for the Normal and Model Schools, and Education Offices, namely:—

	£	s	d	£	s	d	£	s	d
Amount of Special Parliamentary Grant				15,000					
Interest allowed on deposit at the Bank of Upper Canada				43	2	2	15,043	2	2
Amount previously paid on Contract for erecting Buildings, etcetera	2,700								
Amount paid for extras up to this date	766	7	4½						
Amount paid on Contract since last Meeting	1,750			5,216	7	4½			
Amount previously paid to the Architects	173	6	3						
Amount paid to the Architects since last Meeting	87	10		260	16	3			
Amount paid Clerk of Works to date				18	15				
Amount paid for the Site				4,500			9,995	18	7½
Balance of special grant yet available less £12.10.0 paid Mr. John Tully, Clerk of Works							5,047	3	6½

October 14*th*, 1851.—The Chief Superintendent of Education submitted the following Statement of the Special Fund for procuring a Site and erecting the Normal and Model Schools, and Education Offices, namely :—

	£	s	d	£	s	d	£	s	d
Amount of Special Parliamentary Grant				15,000					
Interest allowed by Bank of Upper Canada				43	2	2	15,043	2	2
Previously paid Contractors	5,616	7	4½						
Paid Contractors since last Meeting	400			5,616	7	4½			
Previously paid to the Architects				260	16	3			
Paid for the Site				4,500					
Part Balance, or rather, amount paid Clerk of Works				18	15		10,395	18	7½
Balance yet available (Less £12.10.0 and other sums paid for premiums)							4,647	3	6½

The Council having had under review Mr. Henry Y. Hinds' copy of his "Lectures on the Elements of the Science of Agriculture," and his request for its sanction, with a view to its introduction into the Common Schools, it was,—

Ordered, That the Lectures be referred to a Committee for Examination, with power to confer with such authorities as will enable the Committee to arrive at a correct judgment, as to their fitness for the object proposed ; and that the Chief Superintendent of Education, the Honourable Samuel Bealy Harrison and Mr. James Scott Howard, be that Committee.

October 24*th*, 1851.—No business of public interest was transacted.

November 11*th*, 1851.—No business of public interest was transacted.

November 14*th*, 1851.—The following communication was laid before the Council : From Mr. Henry Y. Hind, Mathematical Master and Lecturer in Chemistry and Natural Philosophy in the Normal School, resigning his situation at the close of the Summer Session in October, 1852.

The Chief Superintendent reported the following payments to the Contractors and Architects since the last Meeting of the Council ; in connection with a Memorandum of the state of the Special Grant Funds, namely :—

	£	s.	d.	£	s.	d.	£	s.	d.
Total amount of Special Parliamentary Grant				15,000	0	0			
Interest allowed by the Bank of Upper Canada				43	2	2			
							15,043	2	2
Paid for the Site				4,500	0	0			
Previously paid on the Contract	4,850	0	0						
Paid on the Contract since last Meeting	750	0	0						
Previously paid for Extras	766	7	4½						
				6,366	7	4½			
Previously paid to the Architects	260	16	3						
Paid to the Architects since last Meeting	57	10	0						
				318	6	3			
Previously paid to the Clerk of Works	18	15	0						
Paid to the Clerk of Works since last Meeting	25	0	0						
				43	15	0			
							11,228	8	7½
Balance on hand in the Bank (less sums paid as premiums for Architectural Designs, etcetera)							£3,814	13	6½

The Letter of Mr. H. Y. Hind of the 12th instant, signifying that he had withdrawn his application for the vacant Chair of Agriculture in the Provincial University, and notifying the Council of his intention to accept the appointment to the Chair of Chemistry in Trinity College,

Toronto, at the close of the next Summer Session of the Normal School,—at the same time requesting the permission of the Council to deliver Lectures for one hour in each day during five days of each week, to a class of Students connected with the Medical Faculty of Trinity College, having engaged the attention of the Council, and the Chief Superintendent of Education having reported that the proposed engagement of Mr. Hind's time in Trinity College for that limited time would not interfere with his duties to the Normal School, it was,—

Ordered, That the application of Mr. Hind be acceded to for the limited period specified in his Letter.

The Council of Public Instruction for Upper Canada, having been applied to by Mr. Thomas J. Robertson, Head Master of the Provincial Normal School, Toronto, for the sanction of the Council to present himself as a Candidate for the Professorship of History and English Literature in the University of Toronto, and to be furnished with such a testimonial as his services may be deemed deserving of: The Council cheerfully grant the permission solicited by Mr. Robertson and have much pleasure in recording their most favourable opinion of his qualifications and abilities, as practically illustrated during the four years he has been connected with the Provincial Normal School in the Departments especially under his charge, embracing History, Grammar, Logic, Popular Education, etcetera.

The Chief Superintendent of Education, having reported the sum of Six Thousand, three hundred and sixty-six pounds, seven shillings and four pence halfpenny, (£6.366.7.4½) paid to the Contractors towards the erection of the Normal and Model Schools and Education Offices, on the Architects' Certificates, and it appearing to the Council quite disproportionate to the amount of the Contract and the extras, as well as to the work actually performed, it was,—

Ordered, That the attention of the Architects be specially called to the subject, and also to the unsafe condition of the Building at this advanced period of the season.

November 24th, 1851.—The Chief Superintendent of Education reported the following memorandum of the state of the Special Grant Funds up to this date, namely:—

	£	s.	d.	£	s.	d.	£	s.	d.
Amount of the Parliamentary Grant				15,000	0	0			
Interest allowed by the Bank of Upper Canada				43	2	2			
							15,043	2	2
Paid for Site to the Honourable Peter McGill				4,500	0	0			
Paid in premiums for Architectural Designs				112	10	0			
Paid Mr. John Tully, Clerk of Works				12	10	0			
Previously paid on the Contract	5,600	0	0						
Paid to the Contractors for extras to this date	766	7	4						
Paid to the Contractors since last Meeting	200	0	0						
				6,566	7	4			
Paid to the Architects to this date				318	6	2			
Paid to the Clerk of Works to this date				43	15	0			
							11,553	8	6
Balance available in the Bank at this date							£3,489	13	8

(NOTE. This was the last Meeting held by the Council of Public Instruction for Upper Canada in 1851.)

CHAPTER III.

SCHOOL REPORT OF THE CHIEF SUPERINTENDENT OF EDUCATION FOR THE YEAR 1851.

TO HIS EXCELLENCY, THE RIGHT HONOURABLE JAMES, EARL OF ELGIN AND KINCARDINE, K.T., GOVERNOR GENERAL OF CANADA.

As required by law, I have the honour to submit a Report of the state of the Normal, Model and Common Schools of Upper Canada for 1851; the first entire year of the operations of the present School Act, as it did not pass the Legislature until July, 1850.

In this Report, I do not, as in that for 1850, give separately the Statistics of each of the nearly four hundred Townships of Upper Canada. I have thought it sufficient to give statistics so extensive and detailed but once in three, or five, years, and to confine the statistical part of the present Report to Counties, Cities, Towns, and Incorporated Villages. Though a considerable saving of expense will thus be effected in printing this Report, there is a comparatively little reduction of labour in preparing it, as the local Reports are Township, and not County, Reports, and, as the Statistics of each Township Report must be analyzed and carefully revised in this Department, in order to prepare the County abstract for the Statistical Tables of my General Annual Report.

I. Extracts from the Reports of Local Superintendents of Schools.

1. Although the appointments of the Local Superintendents of Schools, except in Cities, Towns, and Villages, are made by County Councils; yet Township, instead of County, or School Circuit, Superintendents are, for the most part, appointed, —a system of questionable efficiency, and which adds greatly to the Correspondence of this Department. There is, nevertheless, in the method of reporting by Townships, something peculiarly practical and interesting. The most extensive and minute analysis of the public mind on the great problem of the age is thus presented, and the largest induction of facts is obtained. Township after Township rises up before you in its own distinct features, its defects, its wants, its struggles, its failures, its successes, its progress;—and then, may the features common to all, or the greater number, be contemplated, and the general results inferred. I have, therefore, inserted in the Appendix of this Report no less than one hundred and twenty-eight, (128,) Extracts from the explanatory, descriptive and practical remarks which have accompanied the Statistical Reports of Local Superintendents. These Extracts cannot fail to be read with deep interest. They are a mirror in which is reflectd the educational condition of the Country, and, while much will be seen to humble, to modify, to grieve,—there will also be found in action, and often in vigorous action—the essential elements of a Country's sure and rapid advancement, and an organization, to the results of which limits cannot be easily assigned.*

2. In all proceedings concerted, and in all efforts made, in every branch of a people's civilization, and especially when such proceedings and efforts are devised and conducted by many separate and independent communities. there will be witnessed individual instances of error, —of disappointment,—of failure,—of defeat, even where the general results are satisfactory. The organization of our Public School System, establishing independent School Sections as well as Villages, Towns and Counties, furnishes a vast field for this variety of experiment and diversity of results, as may be seen by referring to the Extracts from the Reports of Local Superintendents of Schools,—Extracts in which are faithfully given the dark, as well as the bright, shades of the picture.† Instances will be found of the same system followed by opposite results in different School Sections,—the smallest school divisions authorized by law. Take for example, the system of free schools.‡ In several rural School Sections it has been tried for a year and then abandoned ; while, in a multitude of other Sections, the success of the experiment, even under disadvantageous circumstances, has been complete. In searching for the causes of failure in the instances mentioned, they will be found, not in the system itself, but in one, or more, of the facts, that the free school has been brought into operation either when the School House has been unfit, or too small, to accomodate all the children of the School Section, or the Teacher has been incompetent to teach them, or the combination of ignorance, prejudice and selfishness in the School Section has proved more powerful than the desire and efforts for universal knowledge. In the contests of light with darkness, of liberty with despotism, of the interests of childhood with the selfishness of manhood, of the nobleness of a coming generation with the ignobleness of a present generation, the former may often experience a temporary defeat, weep under the sorrows of disappointment, and bleed under the infliction of wrong ; but the nature of the contest waged, and the many examples of splendid success, leave, no doubt, as to the ultimate issue of the general struggle.

3. From the Extracts of the Local Superintendents' Reports, the following general facts may be inferred :—

* As these one hundred and twenty eight Extracts from the Reports of the Local School Superintendents of Townships, Cities, Towns and Villages, are very voluminous, extending to nearly ninety (90) pages of the Chief Superintendent's printed Report for 1851, I have not inserted them here. I have preferred to insert in their place a series of Sketches written by Doctor Ryerson, somewhat based upon them, and, explanatory of the state and progress of the School System of Upper Canada as a whole. These Educational Sketches are inserted at the end of the Chief Superintendent's Report, and as an illustrative and fitting Sequel to that Report, in connection with a comprehensivet Satistical Review of the progress of Education in Upper Canada since 1842. A summary of these Extracts is given by Doctor Ryerson on page 27.

† These Extracts from the Local School Superintendents Reports will be found in the Appendix to the Journals of the House of Assembly for 1852.

‡ For an Appeal in favour of Free Schools by Doctor Ryerson see pages 73-81 of the Ninth Volume of this Documentary History.

(1.) The onerous and valuable labours which Local Superintendents of Schools have performed in the various Townships. No one can read these Extracts without being impressed, by undesigned and incidental references, that the gratifying progress which the Schools have made, is, in no small degree, owing to the exertions and counsels of these Local Superintendents.

(2.) The very general dissatisfaction with the present state and character of the Schools and School Accomodations ; the general conviction of the need of improvement in the Schools, and a desire and determination to effect it. A consciousness of defect, and a determination to remedy it, is the first step to improvement in anything.

(3.) The improvement in great numbers of the School Sections in the condition and conveniences of School Houses, the character and position of School Teachers, and the subjects and mode of teaching.

(4.) The commotion of the social elements in a large proportion of the School Sections for and against sound education for the masses ; for and against its improved facilities for its extension to all. These discussions and conflicts are the invariable precursors and attendents, in free Countries, of the progress of knowledge, and of every kind of public improvement, as well as of the diffusion of Religious truth.

(5.) The rapid and wide diffusion of just views on the nature and importance of General Education, and the means of its attainment.

(6.) The amazing progress which the principle of Free Schools has made in the public mind ; the truimphant success of its application, and, as a general rule, with individual instances of failure; and an increasingly strong and widespread desire to have the question settled by legislative enactment, and not left as a subject of annual discussion and agitation in each School Section.

(7.) The advantages resulting from the Provincial Normal School, not merely by sending out into the Country more than a hundred Teachers per annum,—who are more, or less, trained in an improved system of School Teaching, Organization and Discipline,—but by giving a higher tone and character to the qualifications and modes of teaching, to which other Teachers aspire, and which the school authorities, in many places, require.

(8.) The increased advantages of an exceptional and excellent series of School Text-books.

(9.) The salutary influence of County Boards of Public Instruction, (by their Examinations of School Teachers, according to the General Programme prescribed by the Council of Public Instruction for Upper Canada,) in elevating the character and qualifications of these Teachers.

(10.) The important part performed by Municipal Councils in this great work of our Country's mental development and growth.

(11.) The acceptableness and suitableness of the general priniciples and provisions of the School Law of 1850, securing, at the same time, the indispensable necessity and entire freedom of local action, and the assistance and advantage of a Provincial organization.

(12.) The deplorable defects and apathy which exist in some school divisions and Townships, and the vast work which yet remains to be done, in order to complete and render effective the operations of the whole System of Public Elementary Instruction, and to extend its ramifications and blessings to the newest and most remote sections of the Country. The foundation is laid, and I trust broadly and deeply laid, and the superstructure, in some parts, is rapidly rising in fair and beautiful proportions ; but, in other parts, the materials are scarcely collected, much less moulded into form and wrought into use.

4. I have preferred that Local Superintendents, rather than myself, should speak in this Report on the state of the Schools, and the working of the School Law ; and I shall confine my own references and remarks with the narrowest limits possible, and to a brief discussion of the question of Religious Instruction in connection with our System of Public Schools.

II. Rural School Sections and Schools.

1. From the statistical part of this Report,* it will be seen, that the number of Rural School Sections reported for 1851, was 3,340—being 67 less than the number reported for 1850. This decrease may be accounted for upon the two grounds :—

(1.) That several Villages have been incorporated during the year from parts of Townships, in which Rural School Sections heretofore existed.

(2.) That small School Sections have, in a considerable number of instances, been abolished, as separate Sections, and incorporated with other Sections. One of the most serious impediments to the improvement of the Schools, in regard, both to the character of the School Houses and the qualifications of the Teachers, has been, and still is, the establishment of small Sections,—

* The Statistical Tables of this Report of the Chief Superintendent extend to thirty seven printed pages. The last one of which, being a Summary of the others, (and other information,) is alone inserted in this Volume.

Sections too feeble to erect a good and commodious School Houses, or employ a good Teacher, or keep the School more than in a lingering existence by an inferior Teacher during six months of the year. The first step, therefore, towards reducing the number and enlarging the dimensions of School Sections, is a pleasing indication of progress in the right direction.

2. It is also to be remarked, that there is a corresponding decrease in the number of Schools reported,—the number for 1850 being 3,059,—for 1851 being 3,051—decrease 58. This decrease is partly owing to the difficulty many Trustees have experienced in obtaining Teachers with the qualifications required under the present School Law. Had there been a decrease in the number of pupils taught in the Schools, or in the amount paid to Teachers, the decrease in the number of Schools reported might be viewed unfavourably; but, as there is an unprecedently large increase under both of these heads, the decrease in the number of Schools is a gratifying proof that small Schools are being absorbed into large, and much more efficient ones.

III. Receipts and Payments of School Moneys.

1. The amount of the Legislative School Grant apportioned to the Schools of Upper Canada in 1851, was the same, with the addition of a little over Ten pounds (£10,) as it was in 1850; but the amount of money paid Teachers in 1851, exceeded the amount paid them in 1850, by Fifteen Thousand, four hundred and two pounds, (£15,402 = $61,608). The total amount received for Teachers' salaries in 1850 was over Eighty-eight Thousand four hundred and twenty-nine pounds, (£88,429 = $353,717)—in 1851, One hundred and two Thousand and fifty pounds, (£102,050, 12, 6. = $408,202.50). The total amount paid to Teachers in 1851, was an increase of Fifteen Thousand, four hundred and two pounds (£15,402 = $61,608) in excess of that paid to them in 1850. The increase under this head in 1851, is considerably more than the total increase, under the same head, during the whole of the three years preceding. This fact is auspicious for the prospects of the Common Schools, honourable to the Country, and encouraging to School Teachers.

2. If the manner in which the increase has been produced be examined, it will appear still more gratifying. The total amount required to be raised by Municipalities in order to receive the Legislative School Grant of Nineteen Thousand and Twenty-seven pounds, £19,027 = $76,108,): the total amount assessed and collected by Municipalities for Teachers' salaries was Twenty-five Thousand, Eight hundred and thirty-five pounds, Seventeen shillings and Six-pence, (£25,835, 17, 6. = $103,343,) being an increase under the same head, of Six Thousand, Eight hundred and Six pounds, sixteen shillings, (£6,306, 16s, 0d. = $27,227,) more in 1851 than the actual amount required to be raised by the Municipalities.

3. The amount levied and collected in School Sections by Rate-bill on Parents, was in 1851, Thirty-three Thousand, five hundred and Seventy-seven pounds, (£33,577, = $134,308,) less than in 1850,—shewing that the system of Rate-bills on parents and guardians sending children to the School is declining; while the amount levied and collected in School Sections by a rate on property, (on the principle of free schools) was, in 1851, Nineteen Thousand, Eight hundred and thirty-two pounds, thirteen shillings and seven-pence, (£19,832, 13s. 7d. = $79,330,)a head under which there were no returns in 1850.

Under the head of Moneys for the Building, Repairs, Rent, and so forth, of School Houses and for School Apparatus, the total amount collected and expended, was, in 1851, Nineteen Thousand, three hundred and thirty-four pounds, Eighteen shillings, (£19 334, 18s. = $77,339,) an increase of over Five thousand pounds, (£5,145, 4s. = $20,580.)

No returns were obtained in 1850 of moneys collected and expended in support of other Educational Institutions, including Grammar Schools, Colleges, and so forth. Under these heads are reported for 1851, Thirty-two Thousand, Eight hundred and thirty-four pounds (£32,834 = $131,336),—making the grand total of moneys received and expended in Upper Canada for educational purposes, for the year 1851, One hundred and Fifty-four Thousand, two hundred and thirty pounds, (£154,230 = $616,920). The actual increase in 1851 in the sums available for Common School purposes, over those of 1850, amounts to the gratifying sum of Eighteen Thousand, Seven hundred and Seventy-seven pounds (£18,777 = $75,108.)

IV. Number of Children of School Age, and of those Attending the Schools;—Classification of Pupils.

1. From the Stasticable Tables, it will be seen that the number of children in Upper Canada between the ages of five and sixteen years in 1851, was 258,607,—being a decrease of 651 on the number reported for 1850. There is reason to believe that the local reports for 1850 exaggerated the number of children in many of the school divisions, with a view of obtaining a larger share of the School Fund; but in 1851, a more efficient supervision of the returns was exercised, and there was not the same temptation to exaggerate the number of resident children of school age, as the fund was not, in future, to be distributed on that basis.

2. The number of children reported as attending the Schools in 1851, was 170,254, while the number reported as attending the Schools in 1850, was 151,891 ;—being an increase in favour of 1851, of 18,363—a much larger increase than was ever before reported in any one year.

3. The total number of boys reported as attending the Schools in 1851, was 94,439,—being an increase on the preceding year of 9,721 ; the total number of girls so attending was 75,815—being an increase of 9,642.

4. The total average number of pupils attending the Schools in the Summer, was 83,390,—increase, 6,566 ; of boys, 44,647,—increase, 2,863 ; of girls, 38,743,—increase, 3,703.

5. The total average number of pupils attending the Schools of Upper Canada in the Winter, was 84,981,—inrease, 3,512 ; of boys 49,060,—increase, 752 ; of girls 35,921 — increase 2,760.

The Statistics also shows that in each of the various subjects taught in the Schools, there is a large proportionate increase,—in some of them a very large increase,—especially in Grammar, Geography, Book-keeping, Arithmetic, Algebra, Geometry, Elements of Natural Philososhy, Vocal Music, and so forth.

V. TIME OF KEEPING THE SCHOOLS OPEN—TEXT-BOOKS USED IN THE SCHOOLS.

1. The average time of keeping open the Schools may be obtained in three ways :

(1.) By taking the sum of the averages of the Counties, Cities, Towns, and Villages,—which gives 662 divided by 67, the number of Municipalities,—according to which the average would be Nine months and Twenty-eight days. This was the mode adopted in my last Annual Report.

(2.) By taking the separate average of the Counties and the separate average of the Cities, Towns, and Villages—which gives, for

Counties, 8 months and 22 days ;
Cities, Towns and Villages, Eleven months and four days ;

} A total of 19 months and 26 days ;—this divided by 2, gives an average of Nine months, and Twenty-eight days.

(3.) By taking the separate averages of the Counties, the Cities, the Towns, and the Villages, thus :

Counties, 8 months, and 22 days ;
Cities, 10 months, and 18 days ;
Towns, 11 months, and 20 days ;
Town municipalities, 11 months, and 16 days ;
Villages, 10 months, and 25 days ;

} Total, 53 months, and 11 days ; which, divided by five, gives 10 months, and 20 days.

2. This mode of taking the average time of keeping open the Schools is the most minute and has been adopted in this Report.

3. The Statistics shows that the average time during which the Schools have been kept open during the year 1851, is 10 months, and 20 days,— being an apparent increase of one month, and seventeen days on the average attendance of the preceding year, but a real average increase of Twenty-five days,—or about one-twelfth on the average time of the preceding year. This gratifying improvement may be accounted for, in part, by the provision of the School Act of 1850 which requires that the distribution of the School Fund to the School Sections shall be made, not according to the number of resident children of School age, as heretofore, but according to the average attendance of pupils at the Schools,— the mean average attendance of Winter and Summer being taken.

4. The Statistics also shews an increase in the use of the best Text-books in the Schools, and a decline in the use of inferior Text-books. The importance of an appropriate and uniform series of Text-books can hardly be over-estimated, on the ground of saving time and labour on the part of both Teachers and pupils : but as I have dwelt repeatedly on this subject, and at some length, I shall add nothing to the statements contained in the Report.*

5. There is, however, one circumstance which requires remark in reference to Text-books used in the Schools. From Statistics accompanying this Report, it appears that the Common Version of the Bible and Testament was, in 1851, used in 1,748 Schools ; whereas, according to the local reports for 1850, it was used in 2,067 schools. Whether this discrepancy is attributable to defective and loose returns, or otherwise, I am not prepared to say positively ; but my conviction is, from what I have learned, that there has been a decrease, as I think there ought to be, in the use of the Scriptures as a mere common Reading Book, but an increase in the use of them for lessons of Religious and Moral Instruction ‡

*See especialy Chapter XIII of the Sixth Volume, and Section VII of Chapter XVII (pages 159-164,) of the Seventh Volume of this Documentary History.

‡ In Chapter Fifty-one of the "Story of My Life," Doctor Ryerson discusses this subject pretty fully under the title of *The Bible in the Ontario Public Schools.*

VI. Teachers : Their Classification, Religious Faith, and Average Salaries.

1. The Statistics of the Report shows that the number of Teachers employed in 1851, was 3,277—being 199 less than the number employed in 1850. This shows that there were fewer changes of Teachers in 1851 than in 1850,—there being not 300 more Teachers employed than there were Schools in operation. The number of Teachers employed in the State of New York, in proportion to the number of Schools, is very much greater than in Upper Canada.

2. The Examination and licensing of Teachers by County Boards of Public Instruction, according to a programme by the Council of Public Instruction, was introduced in 1851 ;* and the testimonials to its salutary influence in elevating the standard of character and qualification for teaching, are strong and decisive,—as may be seen by referring to the Extracts from the Local Superintendents' Reports, in the Appendix herewith. It is too much to assume that every County Board gives effect to the Programme with views equally elevated, or that the circumstances of each Municipality will enable them to do so, without closing many of the Schools. It seems to have been laid down as a rule of necessity, that, at least, as many Teachers in each County must be licensed as they were Schools in which to teach. To meet this necessity, the County Boards gave many Third, or lowest, Class Certificates of Qualification for the teaching of individual Schools for the year. By this method, the necessities of particular localities were provided for, and yet precaution has been taken to prune, as fast as possible, the profession of incompetent and improper Teachers.

3. The number of First Class Certificates of Qualifications given to Teachers during 1851, was 378 ; Second Class Certificates, 1,272 ; Third Class Certificates, 1,547 ; making a total of 3,187,—being 274 less than the number of Teachers licensed by the Local School Superintendents in 1850.

4. It will be observed by the same Statistics that there are very few Teachers licensed who do not profess to be Members of some Religious Persuasion, that in the column headed "other Persuasions, and those not reported," only 81 are given, out of 3,277 reported as employed. In examining the local Reports, it has been found that of these 81, 20 profess to belong to some one, or other, of the minor Religious Communities. And I think it is probable, that the most, if not all, of the remaining 61 would be found professedly connected with some Religious Persuasion, or other, had the local Reports been perfect. But the returns of the Religious Faith of the Teachers, is a sufficient refutation of some thoughtless and reckless imputations which have been made, that no attention whatever is paid to the Religious and Moral Character of Teachers,—an imputation which might have been truly made in regard to the Teachers sanctioned in former years, as far back as 1820, or earlier, but which is without foundation in reference to the present School System. Not that Certificates of Qualification have not been, and are now given, in some instances, to persons who are morally and intellectually unfit to be entrusted with the office of Teachers ; but the law itself is explicit that : "no Certificate of Qualification shall be given to any person, as a Teacher, who shall not furnish satisfactory proof of good Moral Character ;" and the County Boards, consisting of the Trustees of Grammar Schools and Local Superintendents of Schools are as unexceptionable, and as efficient tribunals as can be selected in the Country to examine and decide on the subject.

5. It will be seen from the Statistics that there is the largest decrease in the number of Methodists and Baptists, and the smallest decrease in the number of Members of the Church of England, employed as Teachers during the year ; while there is an increase in the number of Friends, or Quakers, employed as Teachers.

6. In the average annual salaries of Teachers, the Statistics presents a gratifying improvement. The average of salaries of Male Teachers, without board, was in 1850, £52, 4s. 0d. ($208.80) ; in 1851, £55, 12s. 0d. ($222.40) ; being an increase on the preceding year of £3, 8s 0d. ($13.60). The average of salaries of Female Teachers, without board, was, in 1850, £31, 1s. 0d. ($124 20) ; in 1851, £33, 10s. 0d. ($134) ; being an increase on the preceding year of £2, 9s. 0d. ($9.80). I trust this gradual and encouraging progress in the right direction will soon make the Schools efficient, and the office of teaching them respectable throughout the Province,—thus saving the time of youth and the money of parents, and elevating the entire population.

VII. State and Condition of the School Houses.

The Statistics shew the number, kind, and condition of School Houses, and the sums expended in their erection, repairs, and so forth, in each County throughout Upper Canada. It will be observed that, while the proportion of Log Houses is still lamentably large, there is a reported decrease of 82 in the number of such Houses, and an increase of 49 Frame School Houses, 30 of Brick, and 8 of Stone. The whole number of School Houses reported to have been erected in 1851, is 238, 33 less than the number reported to have been erected in 1850 ; but the amount expended in 1851 in the erection of School Houses exceeds that expended for

* For the Programme see pages 218-221 of the Ninth Volume of this Documentary History.

the same purpose in 1850, by £1,811 19 s. 3d. ($7.247.85,) shewing a great improvement in the character of the School Houses erected in 1851. The items of imformation respecting School Houses, given in the Statistics, evince an encouraging improvement in this vital part of a system of public instruction.

VIII. SCHOOL VISITS, SCHOOL APPARATUS, PUBLIC LIBRARIES, AND SCHOOL EXAMINATIONS.

1. Regarding visits to Schools as an indication of the interest in their progress felt by the parties making such visits, the statistics shew an increase in the number of visits made by each class of the School Visitors authorized by Law, except Magistrates and Judges and Members of Parliament. The number of School Visits made by Local Superintendents, was, in 1850, 5,852, in 1851. 8,933 ; increase, 3,081, an increase of almost one-third. The number of visits made by Clergyman, was, in 1850, 2,566, in 1851, 2.846 ; increase, 280. The number of visits made by Municipal Councillors, was, in 1850, 1,229, in 1851, 1,366 ; increase 137. The number of visits made by Magistrates, was, in 1850. 1.190, 1851, 1,111 ; decrease, 79. The number of visits made by Judges and Members of Parliament was, in 1850, 64, in 1851, 57 ; decrease 7. The number of visits to the Schools made by Trustees and others was, in 1850, 7,417, in 1851, 18,295 ; shewing the large increase of 10,878. The total number of School Visits made in 1850 was, 18,318, in 1851, 32,608 ; increase 14,290.

2. Under the head of School Apparatus, the Statistics given shew a progress in favour of 1851 equally encouraging. In 1850, 1,814 of the Schools were reported as having large Maps ; (as classified in the Statistical Table,) in 1851, 2,795, increase 981. In regard to most of the other items under the head of Apparatus, no returns were made in 1850 ; but the Statistics of this Report shew that a very considerable number of the Schools were provided in 1851 with Maps of different Countries, Black-boards, Globes, Sets of Holbrook's School Apparatus, and Object and Tablet Lessons,—and that the sum of £1,442, 8s. 4d. ($5,769.67), was expended for these purposes.

3. Under the head of Libraries, the Table of Statistics shews an increase in favor or 1851 over 1850, of 17 Common School, 156 Sunday School, and 22 Public Libraries. The number of 228 volumes in Common School Libraries ; 22,424 volumes in Sunday School Libraries ; and 12,017 in the Public Libraries : total increase in favour of 1851. 195 Libraries, and 34,769 volumes. Total number of libraries reported in 1850, 675 ; in 1851, 870. Total number of of volumes reported in these libraries, in 1850, 96,165, in 1851, 130,934.

From the Statistics, it will be seen that there were 6,423 Public School Examinations in 1851, being an increase of 1,896 over those of the preceding year.

IX. VARIOUS OTHER EDUCATIONAL INSTITUTIONS.

The Statistics of the Report exhibit the results of the efforts which have been made to obtain information respecting other Educational Institutions of Upper Canada, other than the Common Schools. By application to the Secretary of the Province and to local sources, more statistical information has been obtained respecting the Grammar Schools than has heretofore been given in any public document. According to the returns received, there appears to be a decrease in the number of Private Schools and private pupils. This will of course, be the case as Public Schools improve and increase. We must, however, except superior Ladies' Seminaries, for which our system of public instruction does not, as yet, make any provision.

X. NORMAL AND MODEL SCHOOLS FOR UPPER CANADA.

Tables appended to this Report contain full statistical information respecting these Institutions, which may now be regarded as forming a vital part of our Educational System, and without which all other efforts to elevate the standard and character of Common Schools and Common School Education, would be comparatively fruitless. In the Appendix will be found copies of the Examination Papers, forms of Certificate, and Terms of Admission, to both the Normal and Model Schools The operations of the Normal School have been greatly impeded by the loss, at the end of 1849, of the commodious public Buildings which were required by Government on its removal in that year to Toronto. But the completion, in the course of a few weeks, of the new Educational Buildings will soon afford every facility for promoting the objects of the Institution and its adjuncts, the Model Schools.

XI. EFFORTS OF THE DEPARTMENT TO IMPROVE THE CONDITION OF OUR SCHOOLS.

1. I refer to the documents in the Appendix as explanatory and illustrative of the measures which have been adopted and the means employed by this Dspartment during the year, to facilitate and extend the operations of the School Law of 1850, to furnish the Schools with suitable Maps and Apparatus, after having provided a series of Text-books, and presented to each of the Municipalities a work on School Architecture, including a great variety of Plans

of School Houses. The pleasure of devising and adopting these, in some respects, extra-official means for the advancement of the Schools, is enhanced beyond what I can easily express, by the cordiality with which my humble efforts have been sanctioned and aided by the Government, and seconded by the Municipal and other local School Authorities throughout the Province.

2. Though I had, previous to the publication of my last Report, selected specimens of Books for Libraries, and made arrangements for securing them on the most advantageous terms, I have not yet been able, on account of the other multiplied duties of the Department, to classify and make the requisite examination of them in order to their approval and recommendation for the Public Libraries by the Council of Public Instruction. To this task, as well as to a visitation of the several Counties in Upper Canada, I purpose, as far as possible, to address myself during the present year.

XII. Comparison between Upper Canada and the State of New York in respect to the system and state of the Common Schools.

1. The period is very recent when the introduction of a section of this kind would have been an absurdity,—when the word "contrast" must have been used instead of the word "comparison", when not as few of our fellow countrymen, and some of our public men, considered the project, or the idea, of emulating the Common School doings of our New York neighbors, as presumptuous and chimerical. I have not viewed, or referred to, the noble and patriotic exertions of the people of the United States in the cause of education in any spirit of jealousy, much less of hostility; I have observed their proceedings and success with the most lively interest and satisfaction, and hold up their example to the admiration and imitation of the people of Canada; but I have not dispaired of, much less depreciated, my own Country, and have had, and have still in a higher degree than ever, a strong conviction, that there are qualities in the people of Upper Canada, which, under a proper and possible organization, and with the judicious council, would place Schools and education in this Country upon more than a level with what we have witnessed and admired in the State of New York. It is true our neighbors in the United States have had more than thirty years the start of us; but I am persuaded that we shall not require half that time to overtake them,—profiting, as we have done, and doubtless will do, by their mistakes and failures, as well as by their ingenuity and success. To rebuke an unpatriotic spirit of Canadian degradation, in which some Canadians indulge, and to animate the hopes and exertions of the true friends of our intellectual and social progress, I will show what has already been accomplished in Upper Canada in respect to Common Schools by a comparison, in a few particulars, with what has been done in the State of New York.

2. There are three particulars in which we must at once yield the palm to our American neighbours. (1) They have School Houses and Schools in their Cities and Towns with which we have as yet nothing to compare; but from what has been done, and is doing, in several of our Cities and Towns, I am confident this contrast will be superseded by comparisons. (2) They have numerous School Libraries, while we as yet have none; but in this they are rather declining than advancing, for want of needful authority and caution and severe discrimination, in the beginning, in the selection of proper Books, and the consequent introduction into their Libraries of an immense amount of trash, which has greatly depreciated their value, lessened their usefulness, and, in some instances, led to their abandonment. I trust, if we move slowly in this part of our system, we shall proceed more safely, as well as more economically and successfully. (3) Of the 753,047 children of school age in the State of New York, 726,291 of them are reported as "having been under instruction for a longer or shorter period during the year 1851"; while of the 258,607 of our children of school age, but 170,254 are reported as having attended the Common Schools in 1851. It is, however, but just to remark, that nearly 20,000 more of our children are reported as having attended School in 1851 than in 1850; while 196,561 children in the State of New York are reported as having attended school less than two months of the year, and 212,578 of them between two and four months, and 170,005 of them for four months and less than six months. It may also be observed, that although great improvements have been made in their Schools in Cities and Towns, their annual School Reports furnish very little indication of progress in the rural parts of the State, while school progress with us is, in general, more conspicuous in the rural portions of the Country, than in our Cities, Towns and Villages.

3. The average period during which the Schools were kept open in the State of New York in 1851, "was seven months and seventeen days"; in Upper Canada it was nine months and twenty-eight days.

4. According to the last Census of the State of New York, taken in 1850, the population of that State was a fraction over four times the population of Upper Canada. There ought, therefore, to be four times as large a sum raised for the salaries of Common School Teachers in that State as in Upper Canada. The total amount of money raised there for the salaries of

Teachers in 1851 (including the large School fund) was $1,350,345, or £337,586 ; the total amount raised in Upper Canada in 1851 for the same purpose was £102,050, or $408,200—nearly one-third of the amount which was raised in the State of New York.

The length of time during which the Schools were kept open during the year and the amount of money raised for the salaries of Teachers, are the two strongest tests of the doings of a people in regard to education.

5. The adoption and use of a uniform series of good Text-books throughout the Country, and the facilities for procuring School Maps and Apparatus, are a great saving of time and money to the children and people of Upper Canada in comparison to the perpetual changes of School Books and Maps which are taking place in the State of New York, arising from the absence of any State authority and provision in these respects, and the representations and collusions of interested Book and Map sellers and of Teachers.

6. The examination and licensing of Teachers by County Boards, according to a Programme prescribed by public authority, and establishing an uniform standard of qualification and classification of Teachers throughout the Country, must be a much more effectual provision to secure Teachers of good character and proper qualifications than the examination and licensing of Teachers by individual Township School Superintendents and Trustees.*

7. There are no Normal School Buildings in the State of New York, nor in any State of America, equal to those which are nearly completed in Upper Canada.

8. The great principles and general outline and provisions of our School Law of 1850,—being the result of extensive enquiry and mature deliberation, may be considered as settled ; and what appears to remain, and all that is desired by any considerable party on this subject, is, the filling up of that outline, and the extension of those provisions, as circumstances may require. But the following extract from the last Annual Report of the Superintendent of Schools in the State of New York, presented to the Legislature of that State in January of the present year, shows that, after forty years legislation on the subject of Common Schools, our neighbours are still considering first principles, and are proposing to adopt the peculiar features of our Canadian school system. The State Superintendent says :—

" By a Resolution of the Assembly, of the 11th of July last, the Governor was authorized to appoint a Commission, whose duty it should be to prepare and report to the Legislature at its ensuing Session, an entire Common School Code, in one Act. Under this authority, the appointment of Commissioner was conferred on Mr. Samuel S. Randall, late Deputy Superintendent of Common Schools, who proceeded at once to the discharge of the duty thus devolved upon him, and whose Report will be forwarded to the Legislature at an early period of its Session. Following, as this Resolution of the New York State Assembly did, immediately upon the completion of a full consolidation and arrangement of the existing provisions of law, in relation to Common Schools under the Act of last Session, the Commissioner deemed himself authorized to incorporate in the newly revised Code such amendments and modifications of the system now in force, as in his best judgment, after full and free consultation with the most entlightened and experienced friends of education throughout the State, seemed desirable and necessary. The principal suggestions and recommendations made by him in the discharge of this important and responsible duty, are fully in accordance with the views of the State Department ; and their adoption will, it is confidently believed, place our Common School System upon a permanent and satisfactory basis. They are understood to embrace, as their leading and prominent objects. 1st: The separation of the Office of Superintendent of Common Schools, from that of the Secretary of State, and its erection into a separate and distinct State Department. 2nd: The substitution of a permanent annual State tax of one mill upon every dollar of the aggregate real and personal property of the State for the support of Common Schools, in lieu of the present aggregate tax of Eight Hundred Thousand dollars, ($800.000,) and 3rd: The restoration, in a modified form, and with suitable guards and restriction, of a system of County supervision.

" The proposed alterations of the existing system are independent of each other ; and any one, or more, of them may be adopted by the Legislature and engrafted upon the School System to the exclusion of others, or the whole may be rejected, leaving the enactments of the present law to stand substantially as they are, with a new and improved classification and arrangement, and with such modification of their details as to adapt them more perfectly to the objects for which they were designed, and to carry out more fully the obvious views and wishes of the Legislature. Some amendments of the existing law will, doubtless, be found absolutely indispensable, and, if, combined with a full and complete revision of the School System, in such a manner as to render it permanent, as far as may be practicable, there can be no doubt that the interests and welfare of the Schools and of the inhabitants and officers of the several school districts, would be materially promoted by such an arrangement."

XIII. QUESTION OF RELIGIOUS INSTRUCTION, IN OUR SYSTEM OF PUBLIC INSTRUCTION.

1. The question of Religious Instruction has been a topic of voluminous and earnest discussion among statesmen and educationists in both Europe and America,—has agitated more than one Country on the continent of Europe—has hitherto deprived England of a National

* The Programme and Regulations for the examination and licensing of Teachers in Upper Canada will be found on pages 218-221 of the Ninth Volume of this Documentary History.

System of Education, permitting to it nothing but a series of petty expedients in varying forms of government grants to certain Religious Denominations, while the great mass of the labouring population is unreached by a ray of intellectual light, and is "perishing for lack of knowledge," amidst the din of sectarian war about "Religious Education," and that too under the very shadow of the Ca hedral and of the Chapel. If I have not made this qu·stion a prominent topic of remark in my Annual Reports, it is not because I have undervalue·l, or overlooked, its importance. On my first and preliminary Report on a System of Public Elementary Instruction for Upper Canada ;* I devoted thirty pages to the discussion of this subject, and adduced the experience and practice of most educating Countries in Europe and America respecting it. In preparing the Draft of the School Law of 1846, I sought to place it where it had been placed by the authority of Government, and by the consent of all parties in Ireland,—as a matter of Regulation by a National Board, and with the guards which all have considered essential. These Regulations † have been prepared and duly sanctioned, and placed in the hands of all School Authorities ; nor have I failed, from time to time, to press their importance upon all parties concerned. It is, however, worthy of remark, that, in no instances, have those parties in this Province, who have thought proper to assail the School System, and myself, personally, on the question of Religious Instruction, quoted a line from what I have professedly written on the subject, or from the Regulations which I have recommended, while such parties have more than once pretended to give my views by quoting passages which were not at all written in reference to this question, and which contained no exposition of my views on it.

2. As some prominence has been given to this question during the year by individual writers, and some vague statements and notions have been put forth, I will offer a few remarks on it in concluding this Report :

1. My first remark is, that the System of Common School Instruction should, like the Legislature which has established, and the Government that administers, it be non-sectarian and National. It should be considered in a Provincial rather than a Denominational point of view,—in reference to its bearing upon the condition and interests of the Country at large, and not upon those of particular Religious Persuasions, as distinct from public interests, or upon the interests of one Religious Persuasion more than upon those of another. And thus may be observed the difference between a mere sectarian and a patriot,—between one who considers the Institutions and Legislation and Government of his Country in a sectarian spirit, and another who regards them in a patriotic spirit. The one places his Sect above his Country, and supports, or opposes every public law, or measure of Government, just as it may, or may not, promote the interests of his own Sect, irrespective of the public interests, and in rivalship with those of other Sects, the other views the well-being of his Country as the great end to be proposed and pursued, and the Sects as among the instrumentalities tributary to that end. Some, indeed, have gone to the extreme of viewing all Religious Persuasions as evils to be dreaded ; and, as far as possible, proscribed, but an enlightened and patriotic spirit rather views them as holding and propagating in common the great principles of virtue and morality, which forms the basis of the safety and happiness of society ; and, therefore, as distinct agencies more,or less, promotive of its interests,—their very rivalships tending to stimu'ate to greater activity, and therefore, as a whole, more beneficial than injurious. I think that a National System of Public Instruction should be in harmony with this National spirit.

2 I remark again, that a System of Public Instruction should be in harmony with the views and feelings of the great body of the people, especially of the better educated classes. I believe the number of persons in Upper Canada who would theoretically, or practically, exclude Christianity, in all its forms, as an essential element in the education of the Country, is exceedingly small, and that more than nine tenths of the people regard Religious Instruction as an essential and vital part of the education of their offspring. On th·s, as well as on higher grounds, I lay it down as a fundamental principle that Religious Instruction must form a part of the education of the youth of our Country, and that that Religious Instruction must be given by the several Religious Persuasions to their youth respectively.

PUBLIC SCHOOLS VERSUS DENOMINATIONAL SCHOOLS.

3. There would be no Christianity among us were it not for the Religious Persuasions, since they, collectively, constitute the Christianity of the Country, and, separately, the several agencies by which Christian doctrines and Worship and Morals are maintained and diffused throughout the length and breadth of the land. If, in the much that certain writers have said about, and against, "Sectarian teaching," and against a "Sectarian bias," in the education of youth, it is meant to proscribe, or ignore, the religious teaching of youth by Sects, or Religious Persuasions ; then is it the theory, if not the design, of such writers to preclude Religious Truth altogether from the minds of the youth of the land, and thus prepare the way for raising

* Printed on pages 138-211 of the Sixth Volume of this Documentary History.
† These Regulations will be found on pages 197, 198 of the Ninth Volume of this History.

up a nation of infidels ! But if, on the other hand, it be insisted, as it has been by some, that as each Religious Persuasion is the proper Religious Instructor of its own youth, therefore, each Religious Persuasion should have its own Elementary Schools, and that thus Denominational Common Schools should supersede our present public Common Schools, and the School Fund be appropriated to the Denominations, instead of to the Municipalities ; I remark that this theory is equally fallacious with the former, and is fraught with consequences no less fatal to the interests of universal education than is the former theory to the interests of all Christianity.

4. The History of Modern Europe in general, and of England in particular, teaches us that when the Elementary Schools were in the hands of the Church, and the State performed no other office, in regard to Schools, than that of tax-assessor and tax-gatherer to the Church, the mass of the people were deplorably ignorant and, therefore, deplorably enslaved.

5. In Upper Canada, the establishment and support of Denominational Schools, to meet the circumstances of each Religious Persuasion, would not only cost the people more than five-fold what they have now to pay for School purposes, but would leave the youth of minor Religious Persuasions, and a large portion of the poorer youth of the Country, without any means of education upon terms within the pecuniary resources of their parents, unless as paupers, or at the expense of their Religious Faith.

6. But the establishment of Denominational Common Schools for the purpose of Denominational Religious Instruction itself is inexpedient. The Common Schools are not boarding, but day, Schools. The children attending them reside with their own Parents, and are within the charge of their own Pastors : and, therefore, the oversight and duties of the Parents and Pastors of children attending the Common Schools, are not in the least suspended, or interfered with. The children attending such Schools can be with the Teacher only from nine o'clock in the morning until four o'clock in the afternoon of five, or six, days in the week, while during his morning and night of each week-day, and the whole of Sunday, they are with their Parents, or Pastors ; and the mornings, and evenings, and Sabbath of each week, are the very portions of time which convenience and usage and ecclesiastical laws prescribe for Religious studies and instruction—portions of time during which pupils are not, and cannot, be with the Teacher, but are, and must be, under the oversight of their Parents, or Pastors. And the constitution, or order, of discipline of each Religious Persuasion enjoins upon its Pastors and Members to teach the summary of religious faith and practice required to be taught to the children of the members of each such Persuasion. I might here adduce what is enjoined on this subject by the Roman Catholic, and the several Protestant, Churches ; but as an example of what is required in some form, or other, by the laws, or rules, of every Religious Persuasion, I will quote the Fifty-ninth Canon of the Church of England,—which is as follows :—

FIFTY-NINTH OF THE CANONS OF THE CHURCH OF ENGLAND.

"Every Parson, Vicar, or Curate, upon every Sunday and Holy-day, before Evening Prayer, shall, for half an hour, or more, examine and instruct the youth and ignorant persons in his Parish in the Ten Commandments, the Articles of the Belief and the Lord's Prayer ; and shall diligently hear, instruct, and teach them the Catechism set forth in the Book of Common Prayer, and all Fathers, Mothers, Masters, and Mistresses, shall cause their Children, Servants, and Apprentices, which have not learned the Catechism, to come to the Church at the time appointed, obediently to hear, and to be ordered by the Minister, until they have learned the same. And, if any Minister neglect his duty herein, let him be sharply reproved upon the first complaint, and true notice thereof given to the Bishop, or Ordinary, of the place. If, after submitting himself, he shall willingly offend therein again, let him be suspended ; if so the third time, there being little hope that he will be therein reformed, then let him be excommunicated, and so remain until he will be reformed. And, likewise, if any of the said Fathers, Mothers, Masters, or Mistresses, Children, Servants, or Apprentices, shall neglect their duties, of the one sort, of not causing them to come, and the other in refusing to learn, as aforesaid ; let them be suspended by their Ordinaries, (if they be not Children,) and, if they so persist by the space of a month, then let them be excommunicated."

7. To require, therefore, the Teacher in any Common day School to teach the Catechism of any Religious Persuasion, is not only a work of supererogation, but a direct interference with the disciplinary order of each Religious Persuasion ; and, instead of providing by law for the extension of Religious Instruction and the promotion of Christian Morality, it is providing by law for the neglect of pastoral and parental duty, by transferring to the Common School Teacher the duties which their Church enjoins upon them, and thus sanctioning gross neglect of duty on the part of Pastors and Parents,—which must, in a high degree, be injurious to the interests of Public Morals, no less than to the interests of children and of the Common Schools. Instead of providing by law for Denominational Day Schools for the teaching of Denominational Catechisms in Schools, it would be more suitable to enforce by law the performance of the acknowledged disciplinary duties of Pastor and Members of Religious Bodies, by not permitting their children to enter the Public Schools until their Parents and Pastors had taught them the Catechism of their own Church.

8. The theory, therefore, of Denominational Day Schools is as inexpedient on religious grounds, as it is on the grounds of economy and educational extension. The demand to make the Teacher do the canonical work of the Clergyman is as impolitic as it is selfish. Economy, as well as patriotism, requires that the Schools established for all should be open to all upon equal terms, and upon principles common to all,—leaving to each Religious Persuasion the performance of its own recognized and appropriate duties in the teaching of its own Catechism to its own children. Surely it is not the province of Government to usurp the functions of the Religious Persuasions of the Country; but it should recognizes their existence, and, therefore, not provide for Denominational teaching to its pupils in the Day Schools, any more than it should provide such pupils with daily food and raiment, or weekly preaching, or Places of Worship. As the State recognize the existence of Parents and the performance of parental duties by not providing children with what should be provided by their Parents—namely, clothing and food;—so should it recognize the existence of the Religious Persuasions and the performance of their duties by not providing for the teaching in the Schools of that which each Religious Persuasion declares should be taught by its own Ministers and the Parents of its children.

9. But, it may be asked, ought not Relgious Instruction be given in Day Schools, and ought not Government to require this in every School? I answer, what may, or ought to, be done in regard to Religious Instruction, and what the Government ought to require, are two different things. Who doubts that Public Worship should be attended and family duties performed? But does it, therefore, follow that Government is to compel attendance upon the one, or the performance of the other? If our Government were a despotism, and if there were no law, or no liberty, Civil, or Religious, but the absolute will of the Sovereign, then Government would, of course, compel such Religious and other Instruction as it pleased,—as is the case under certain despotisms in Europe.

But as our Government is a constitutional and popular Government, it is to compel no farther in matters of Religious Instruction than it is itself the expression of the mind of the Country, and than it is authorized by law to do. Therefore, in the "General Regulations on the Constitution and Government of Schools respecting Religious Instruction," referred to in a note on a preceding page,* it is made the duty of every Teacher to incalcate those principles and duties of piety and virtue, which form the basis of Morality and order in a State, while Parents and School Teachers and School Managers are left free to provide for, and give, such further Religious Instruction as they shall desire and deem expedient. If with us, as in despotic Countries, the people were nothing politicaily, or civilly, but slaves and machines, commanded and moved by the will of one man, and all the local School Authorities were appointed by him, then the Schools might be the Religious teachers of his will; but, with us, the people in each Municipality share as largely in the management of the Schools as they do in making the School Law itself. They erect the School Houses; they employ the Teachers; they provide the greater part of the means of the support of the Schools; they are the parties immediately concerned,—the Parents and Pastors of the children taught in the Schools. Who then are to be the judges of the nature and extent of the Religious Instruction to be given to the pupils in the Schools?—these Parents and Pastors, or the Executive Government, counselled and administered by means of Heads of Departments, who are changed from time to time, at the pleasure of the popular mind, and who are not understood to be invested with any Religious authority over the children of their constituents?

10. Then, if the question be viewed as one of fact, instead of theory, what is the conclusion forced upon us? Are those Countries in Europe, in which Denominational Day Schools alone are established and permitted by Government, the most enlightened, the most virtuous, the most free, the most prosperous, of all the Countries of Europe, or America? Nay; the very reverse is the fact. And it here not difficult to show that those Denominational Schools in England, which were endorsed in former ages, have often been the seats of oppressions, vices, and practises, that would not be tolerated in the most imperfect of the Common Schools of Upper Canada. And when our Common Schools were formely, in regard to Government control, chiefly under the management of one Denomination, were the Teachers and Schools more elevated in their Religious and Moral Character than at the present time? Is not the reverse notoriously the case? And, if enquiry be made into the actual amount of Religious Instruction given in what are professedly Denominational Schools, whether male or female, (and I made the enquiry), it will be found to consist of prayers not more frequently than in the Common Schools, although the ritual of each Denomination requires Catechetical Instruction to be given elsewhere and by other parties. So obviously unnecessary on Religious grounds are Separate Denominational Schools, that two School-Houses which were built under the auspices of the Church of England for Parish Schools of that Church,—the one at Cobourg, by

* For these General Regulations, see pages 197, 198 of the Ninth Volume of this Documentary History.

the congregation of the Archdeacon of York, and the other in connection with Trinity Church, Toronto East,—have, after fair trial, been converted, for the time being, into Common School Houses, under the direction of the Public Boards of School Trustees in Toronto and Cobourg.

11. I am persuaded that the religious interests of youth will be much more effectually cared for and advanced, by insisting that each Religious Persuasion shall fulfil its acknowledged Rules and Obligations for the Religious Instruction of its own youth, than by any attempt to convert, for that purpose, the Common Day Schools into Denominational ones, and thus legislate for the neglect of duty on the part of Pastors and Parents of the different Religious Persuasions. The Common Day School and its Teachers ought not to be burthened with duties which belong to the Pastor, the Parent, and the Church. The education of the youth of the Country consists not merely of what is taught in the day School but also of what is taught at home by the Parents, and in the Church by the Pastor. And if the religious part of the education of youth is, in any instances, neglected, or defective, the blame rests with the Pastors and Parents concerned, who, by such neglect, have violated their own religious Canons, or Rules, as well as the express commands of the Holy Scriptures. In all such cases, Pastors and Parents are the responsible, as well as guilty, parties, and not the Teacher of the Common School, nor the Common School System.

Case of Colleges and Higher Institutions different from that of Ordinary Schools.

12. But, in respect to Colleges and other high Seminaries of learning, the case is different. Such Institutions cannot be established within an hour's walk of every man's door. Youth, in order to attend them, must as a general rule, leave their homes, and be taken from the daily oversight and instructions of their Parents and Pastors. During this period of their education the duties of parental and pastoral care and instruction must be suspended, or provision must be made for it in connection with such Institutions. Youth attending Colleges and Collegiate Seminaries are at an age when they are most exposed to temptation, most need the best counsels in Religion and Morals, are pursuing studies which most involve the principles of human action, and the duties and relations of common life. At such a period, and under such circumstances, youth need the exercise of all that is tender and vigilant in parental affection, and all that is instructive and wise in pastoral oversight ; yet they are far removed from both their Pastor and Parent. Hence what is supplied by the Parent and Pastor at home, ought, as far as possible, to be provided in connection with each College abroad. And, therefore, the same reason that condemns the establishment of Public Denominational Day Schools, justifies the establishment of Denominational Colleges, in connection with which the duties of the Parent and Pastor can be best discharged.

13. Public aid is given to Denominational Colleges. Not for Denominational purposes, (which is the special object of Denominational Day Schools,) but for the advancement of Science and Literature alone, because such Colleges are the most economical, efficient and available agencies for teaching the Higher Branches of Education in the Country : the aid being given not to Theological Seminaries, but for the support of Teachers of Science and Literature. Nor is such aid given to a Denominational College until after a large outlay has been made by its projectors in the procuring of premises, erecting, or procuring and furnishing, Buildings, and the employment of Professors and Teachers,—evincive of the intelligence, disposition and enterprise of a large section of the community to establish and sustain such an Institution.

14. It is not, however, my intention to discus the question of recognizing and aiding Denominational Colleges in a System of Public Instruction. My object in the foregoing remarks is to show that the objections against the establishment of a System of Denominational Day Schools, do not form any objection to granting aid to Denominational Colleges as Institutions of Science and Literature, and open to all classes of Youth who may be desirous of attending them.

15. The more carefully the question of Religious Instruction, in connection with our System of Common Schools is examined, the more clearly, I think, it will appear that it has been left where it properly belongs,—with the local School Municipalities, parents and managers of Schools- the Government protecting the right of each parent and child, but beyond this, and beyond the principles and duties of moralities common to all classes, neither compelling, nor prohibiting,—recognizing the duties of Pastors and Parents, as well as of School Trustees and Teachers, and considering the united labours of all as constituting the System of Education for the youth of the Country.

Toronto, 27th September, 1852. Egerton Ryerson.

PART II.—STATISTICAL SCHOOL REPORT FOR 1851.

GENERAL STATISTICAL ABSTRACT, EXHIBITING THE STATE AND PROGRESS OF EDUCATION IN UPPER CANADA, AS CONNECTED WITH UNIVERSITIES, COLLEGES, ACADEMIES, GRAMMAR, PRIVATE, COMMON, NORMAL, AND MODEL SCHOOLS, DURING THE YEARS 1842 TO 1851, INCLUSIVE.

No.	——	1842	1843	1844	1845	1846	1847	1848	1849	1850	1851
1	Population of Upper Canada	486,055	No reports for this year received in consequence of a change in School laws.	.....	622,570	.....	.....	725,879	.....	803,493	950,551
2	Population between the ages of five and sixteen years	141,143		183,539	202,913	204,580	230,975	241,102	253,364	259,258	258,607
3	Total Colleges in operation	5		5	5	5	6	6	7	7	8
4	Academies and District Grammar Schools	*25		*25	*30	*31	32	33	39	57	70
5	Private Schools reported	*44		*60	*65	*80	96	117	157	224	159
6	District Model Schools in operation	.....		1	3	3	3	2	1	.....	.....
7	One Normal and one Model School for Upper Canada	.....		.....	.....	.....	2	2	2	2	2
8	Total Common Schools in operation as reported	1,721		2,610	2,736	2,589	2,727	2,800	2,871	3,059	3,001
9	Grand total Educational establishments in operation in Upper Canada	1,795		2,701	2,839	2,708	2,866	2,960	3,077	3,493	3,238
10	Total Students attending Colleges and Universities	No reports		No reports	No reports	No reports	700	740	773	684	632
11	Total Students attending Academies and Grammar Schools	do		do	do	do	1,000	1 115	1,120	2,070	2,800
12	Total Pupils attending Private Schools	do		do	do	do	1,831	2,345	3,648	4,663	3,948
13	Total Students and Pupils attending Normal and Model Schools for Upper Canada	do		do	do	do	.....	256	400	376	380
14	Total Pupils attending the Common Schools of Upper Canada	65,978		96,756	110,002	101,912	124,829	130,739	138 465	151,891	168,159
15	Grand total, Students and Pupils attending Universities, Colleges, Academies, Grammar, Private and Common Schools	65,978		96,756	110,002	101,912	131,360	135,295	144,406	159,678	177,624
16	Total amount available for the Salaries of Common School Teacher in Upper Canada	£41,500		£51,714	£71,514	£67,906	£77,599	£86,069	£88,478	£88,536	£101,050

*An approximation only.—No specific information having been received by the Department.

PART II.—STATISTICAL SCHOOL REPORT FOR 1851.—(*Continued.*)

GENERAL STATISTICAL ABSTRACT, EXHIBITING THE STATE AND PROGRESS OF EDUCATION IN UPPER CANADA, FROM 1842 TO 1851 INCLUSIVE.

No.	—	1842	1843	1844	1845	1846	1847	1848	1849	1850	1851
17	Total amount levied, or subscribed, for the erection or repairs of School-houses	No reports	No reports for this year received in consequence of a change in the School Law.	No reports	No reports	No reports	No reports	No reports	No reports	£14,189	£17,458
18	Grand total available for Teachers' Salaries and the erection and repairs of School-houses	do		do	do	do	do	do	do	102,725	119,509
19	Total Common School Teachers in Upper Canada	.....		.....	2,860	2,925	3,028	3,177	3,209	3,476	3,277
	Total Male School Teachers in Upper Canada	.....		Not	separately	reported	2,365	2,507	2,505	2,697	2,551
	Total Female School Teachers in Upper Canada			do	do	do	663	670	704	779	726
20	Average number of months each Common School has been kept open by a qualified Teacher	.....		$7\frac{3}{4}$	8	$8\frac{1}{2}$	$8\frac{1}{3}$	9	$9\frac{1}{3}$	9 1-11	$10\frac{2}{3}$
21	Net average attendance of Pupils at the Common Schools, during the Summer of	No reports		No reports	No reports	No reports	No reports	70,459	72,204	76,842	83,390
22	Net average attendance of Boys at the Common Schools, during the Summer of	.....		do	do	do	do	38,539	39,382	41,784	44,647
	Net average attendance of Girls at the Common Schools, during the Summer of	.....		do	do	do	do	31,920	32,822	35,040	38,743
	Net average attendance of Pupils at the Common Schools, during the Winter of	.....		do	do	do	do	76,711	78,466	81,469	84,981
	Net average attendance of Boys at the Common Schools, during the Winter of	.....		do	do	do	do	45,429	46,402	48,308	49,060
	Net average attendance of Girls at the Common Schools, during the Winter of	.....		do	do	do	do	31,282	31,964	33,161	35,921

NOTE.—The Returns in the foregoing table, up to the year 1847, are not very complete; but since that period they have been sufficiently so to establish a data by which to compare our yearly progress in Educational matters. The returns are now pretty extensive, and embrace all Institutions of learning, from the Common School up to the University; but hitherto the sources of information regarding the latter class of Institutions have been rather private than official. It is to be hoped, however, that future years will witness more complete and accurate information on the subject of education generally in Upper Canada; and that the Chief Superintendent's Annual Report will present, in one comprehensive tabular view, ths actual state and progress of all our Educational Institutions, Public, Private, and Collegiate.

CHAPTER IV.

PAPERS BY THE CHIEF SUPERINTENDENT ON THE STATE AND PROGRESS OF THE SCHOOL SYSTEM.

1. Permanency and Prospects of the System of Common Schools in Upper Canada.

Having in my Annual Report [contained in the preceding Chapter of this Volume] I am not in a position to enter further into details in respect to past educational progress: nor is it necessary that I should do so, as that Report has been printed by order of the Legislative Assembly, and placed in the hands of each Municipal Council and School Corporation throughout Upper Canada. I shall, therefore, confine myself to a few general remarks and practical suggestions.

1. My first remark relates to the settlement of the general principles and great organic provisions of our School System. It has been a common, and not unfounded complaint, that there was nothing abiding, nothing settled, in the principles and provisions of our School Law. Perpetual change in a School law is perpetual infancy in a Public School System. Permanence and stability are essential conditions of growth, whether in an oak of the forest, or in a System of National Education. But the works of man are not like the works of God,—perfect at the beginning. The history of all science teaches us, that experiments must precede the principles which they establish; and the period of experiment in anything is likely to be a period of change as well as of infancy. In no branch of Political Economy have more experiments been made, and with less progress toward the definiteness and dignity of a science, than in the department of public education. The chief reason I apprehend to be, not that it is more difficult than any other, but that it has received less attention than any other, in proportion to its magnitude and importance; that in very few instances has any one man, with zeal and capacity for the task, been permanently set apart to investigate the subject in all its aspects and applications, and to bring definitely and practically before the authorities, and Legislators, and citizens of his Country, the results of general experience and careful consideration, and embody them in actual recommendations and measures, and administrative policy. In New York and other States, the succession of temporary State School Officers has been accompanied with an almost corresponding succession of school laws; and every confident and adventurous theorist in the Legislature, who had, perhaps, never been out of the limits of his native State, or read half a dozen school laws, or who never studied a school system in his life, was ready with some new project, in which he imagined and insisted was embodied the sum of all human perfection, but which was no sooner tried than abandoned. In the State of New York, after almost annual legislation for nearly forty years, the general provisions of the last amended School Law of that State, are, I have been informed, substantially, and almost verbatim, those of the School Law of 1811,—which was adopted on the recommendation of an able Committee that had devoted a year to the examination and consideration of the subject,—thus coming back to the place of beginning, after having made the whole circle in school legislation. But in Upper Canada our abnormal state of legislative experiment and change has been less protracted and tedious. We have had the great advantage of our neighbours' experiments and experience, and have reached, (and I hope have exceeded) their results in legislation without the drawbacks of their many trials and disappointments; and some of the material changes in our School Law have been required by the introduction of a new system of Municipal Councils; and other portions of our recent school legislation have consisted in the introduction of new and necessary provisions, rather than the repeal of existing ones.

2. The careful inquiry which has been instituted into the whole subject during the last five years, the many consultations which have been held by the Chief Superintendent in the several Counties throughout the Country, the minute and careful attention which was bestowed upon it by the Government and the Legislature during the last Session, all warrant the assurance in the public mind, that no future legislation on the subject of our Common Schools will take place, except as new wants may suggest, and the experience and convictions of the Country shall require. I am the more convinced of the correctness of this conclusion from the fact, that every suggestion, whether friendly, or hostile, which I have seen in newspapers, proposing substitutes for certain provisions of our present School Law, has been tried and found unsuccessful in some one of the neighbouring States,—a fact of which the projectors might have satisfied themselves had they investigated the history of School legislation in those States, before undertaking to give lessons on the subject to Upper Canada. It cannot fail to be satisfactory

and encouraging to every practical man and friend of education, to enter upon the school duties and interests of each new year with the conviction that his labours will not be in vain, and that the system, to which he shall endeavor to give efficiency, will be an abiding agency for the educational development and elevation of his Country.

3. My next general remark refers to the position which our School System and its administration occupy in respect to parties and party interests. The virus of party spirit is poisonous to the interests of education in any Country, or neighbourhood, and the clangour and jostling of party conflicts are its funeral knell. It perishes in the social storm, but grows and blooms and bears fruit in the serenity and sunshine of social peace and harmony. It has, therefore, been the policy of the enemies of general education, in any Country, and of whatever party, as if prompted by a malevolent instinct, to seek to invest the agency for its extension with a party character, and then strangle it as a party monster. And even unintentionally and incidentally, the interests of education have largely suffered from the same upas influence. Among our American neighbours, I have been assured, that party selfishness and contests have proved one of the most serious obstacles to the progress of their educational systems and interests. The working of their machinery of government, involving countless elections and endless party conflicts, the local, if not higher, administraton of their Common School Systems has often been perverted and pressed into degrading service as an engine of party, to the grief of the earnest and patriotic friends of education ; and it has been alleged, that to the intrigues of party aspirants may be traced the origin of no inconsiderable number of their projects of school laws and school reforms. It is highly honourable to the discernment and patriotism of our neighbours, that, under a system of polity which to so high a degree lives and moves and breathes in an atmosphere of almost theatrical excitement, the interests of education have been so nobly sustained, and its progress has been so rapid and extensive. I regard it as an interesting incident in our Canadian history, and a hopeful sign and certain augury of educational progress, that our System of Popular Instruction stands forth, by common consent and suffrage, the exclusive property of no party, and the equal friend of all parties. If one party introduced legislative enactments, laying the foundation and delineating the general outlines of the System in 1841 and 1843, and, if another party introduced a legislative measure to modify and essentially to improve it in 1846, both parties have united to mature and consolidate it in 1850. I think there was a moral sublimity in the spectacle presented by our Legislature at its last Session, when the leading minds of both parties, (with only subordinate exceptions unworthy of formal notice, and reflecting just darkness enough to give stronger expression and greater majesty to the general outlines of the picture,) forgetting the rivalships and alienations of party, united as one man to provide the best system they could devise for the universal education of their common Country,—the spirit of sect being merged in the spirit of Christianity, and the spirit of partizanship absorbed in that of patriotism. I have stated the fact to several distinguished public men, as well in the United States, as in England, and, in every instance, the comment has been one of admiration of such a spirit in the public men of Canada, and congratulation on the educational and social prospects of the Canadian people under such circumstances. As a practical development of the same spirit in administration, which had been thus illustrated in legislation, the same persons have been re-appointed, in 1850, to perpetuate and extend the work of education under the law, who were first appointed in 1846 to devise and establish it * The example and spirit of these acts should thrill the heart of every man of every party in Canada, and tell him that, in the education of youth, he should forget sect and party, and only know Christianity and his Country.

4. I have a further general remark to make, and it is this,—that our system of municipalities affords unprecedented and unparalleled facilities for the education and social advancement of our Country. While I was in England, last year, a Member of the Canadian Legislature, now in this Country, an able political opponent of the Author of our present municipal law, but deeply interested in the financial and general advancement of Upper Canada, and who has to do with matters affected by that law, has expressed to me his conviction that our Municipal Law is the best, the most comprehensive, and most complete measure of which he has any knowledge, for developing the resources and promoting the improvement of a Country, —especially a young country. But, what is thus stated by an impartial and competent judge to be true of this law, in respect to the general resources and interests of the Country, is I think preëminently true in regard to its educational interests.

5. Among the conditions essential to the advancement and greatness of a people, are individual development and social co-operation,—to add as much as possible to the intellectual and moral value and power of each individual man, and to collect and combine individual efforts and resources in what appertains to the well-being of the whole community. That system of polity is best which best provides for the widest and most judicious operation of these two principles,—the individual and the social. Now, to the development of the former, self-reliance is requisite ; and, in order to that, there must be self-government. To the most

* *i. e.*, in the Council of Public Instruction for Upper Canada. See page 158 of the preceding Volume of this History

potent developments of the latter, organization is essential ; and such organization as combines the whole community for all public purposes, and within convenient geographical limits. In our system of municipalities, and in our School System, which is engrafted upon the municipalities, these objects are carefully studied, and effectually provided for, and provided for to an extent that I have not witnessed, or read of, in any other Country. In the neighbouring States, there are excellent Town and City Municipalities, with ample powers, and in some States there are Municipalities of Townships and Counties for certain objects ; but these are isolated from, and independent of, each other, and are far from possessing powers commensurate with the development of the resources and meeting all the public wants of the community within their respective limits. It is in Upper Canada alone that we have a complete and uniform system of municipal organization, from the smallest Incorporated Village to the largest City, and from the feeblest School Section and remotest Township to the largest County, or union of Counties,—the one arising above the other, but not superseding it,—the one connected with the other, but not contravening it,—the one merging into the other for the purposes of wider expansion and more extensive combination. By their constitution, these Municipal and School corporations are reflections of the sentiments and feelings of the people within their respective circles of jurisdiction, and their powers are adequate to meet all the economic exigencies of each Municipality, whether of Schools, or Roads, or the diffusion of knowledge, or the development of wealth. Around the fire-sides, and in the primary meetings, all matters of local interest are freely examined and discussed ; the people feel that these affairs are their own, and that the wise disposal and management of them depend upon their own energy and discretion. In this development of individual self-reliance, intelligence, and action in local affairs of common interest, we have one of the primary elements of a people's social advancement ; whilst, in the municipal organizations, we have the aggregate intelligence and resources of the whole community on every material question and interest of common concern. What the individual cannot do in respect to a School, a Library, a Road, or a Railway, can be easily accomplished by the Municipality ; and the concentration of individual feeling and sentiment gives character and direction to municipal actions. The laws constituting Municipalities and Schools are the Charters of their government, and the forms and regulations for executing them are aids to strengthen their hands and charts to direct the course of those who are selected to administer them.

6. The application of this simple, but comprehensive, machinery to the interests of Schools and general knowledge opens up for Upper Canada the prospect of a glorious future. One of the most formidable obstacles to the universal diffusion of education and knowledge is class isolation and class exclusiveness—where the highest grades of society are wholly severed from the lower, in responsibility, obligations, and sympathy, where sect wraps itself up in the cloak of its own pride, and sees nothing of knowledge, or virtue, or patriotism, beyond its own enclosures, and where the men of liberal education regard the education of the masses as an encroachment upon their own domains, or beneath their care, or notice. The feeble and most needy, as also the most numerous classes, are thus rendered still feebler by neglect, while the educated and more wealthy are rendered still stronger by monopoly. Our Municipal and School Systems, on the contrary, is of the largest comprehension,—it embraces in its provisions all classes and all sects, and places the property of all, without exception, under contribution for the education of all, without respect of persons. Thus every man, whether rich, or poor, is made equal before the law, and is laid under obligation, according to his means, of educating the whole community. And our law provides for the application of this great principle, not only for the establishment of Schools and all requisites for their support and efficient operation, but also for the establishment and maintenance of Libraries of general knowledge and reading ; nor does it leave each Municipality to collect Books where and how it can, and at whatever prices, but calls in the position and assistance of Government to arrange for procuring, at the lowest prices, a selection of Books ample in number and variety, and suitable in character, to meet the wants and wishes of every Municipality in Upper Canada. The Department of Public Instruction having to do, in respect to Books, with no private parties, but with School and Municipal corporations only, the legitimate field of private trade cannot be entrenched upon, nor the ordinary channels of private business in the least interfered with ; but they will rather be enlarged by the cultivation of public taste, and the increased demand for Books of instruction and entertainment.

7. Such are the educational circumstances under which the people of Upper Canada have commenced the year 1851. Several practical suggestions have been made in connexion with the preceding remarks ; others are so obvious, as inferences, that I need not repeat them in this place. All that I will, therefore, add is, that if the year 1850 has been signalized by laying the foundations of our System of Public Instruction deeper and broader, should not the year 1851 be characterized by rearing the superstructure higher than those foundations? If, during the last few years Upper Canada has advanced beyond the State of New York in three great elements of popular education,—the average time of keeping open the schools during the year,—the amount of money raised by the people at large for the support of education in pro-

portion to the population, and the proportional number of Teachers trained in the Normal School,—why may not Upper Canada, with its improved School Law and its Municipal System, become the best educated and the most intelligent Country in North America? Upon ourselves will be the responsibility and shame if it be not so.

8 In the course of the year I hope to be able to visit each County, or union of Counties, in Upper Canada, to bring before the people at public Meetings those parts of our School System which are yet to be brought into operation, and to confer with you upon the best means of perfecting what has been commenced. In devising these means, I try to conceive of the children in each Municipality and School Section, even the most remote and feeble, as my own children, and to provide for them educationally, so far as in my power, in the way that I would wish my own children to be provided for under like circumstances. However far I may come short of my own wishes and of the necessities of our Province, I trust that the Country will be satisfied with my humble endeavors when it comes to be practically developed; and I am sure of the cordial co-operation of the people will not be wanting in what is best for our children and patriotic for our Country. I earnestly implore the Divine blessing to crown our united exertions with the most abundant success.

TORONTO, January, 1851. EGERTON RYERSON.

II ENCOURAGING SYMPTOMS FOR THE FUTURE OF OUR SCHOOL SYSTEM.

1. Looking back on the fact we cannot but rejoice at the unexampled degree of success which has attended the efforts of this Province to perfect and render really permanent our system of popular Education; to invest it with a freeness and universality that the poorest child may consider its enjoyment as his birthright and the richest deem it a privilege to participate in its advantages, and to contribute to its support and permanence. Although we have yet too much reason to deplore the want of an enlarged and enlightened generosity in a mixed section of our countrymen and fellow colonists in the support and diffusion of sound general Education upon equal terms among all classes alike; still, in tracing back the history of popular Education in Upper Canada for the few years and carefully scanning each step of progress,—possibly too measured—we cannot disguise the deep feelings of pleasure which we experience in reflecting upon the real, palpable, improvement which has taken place in the character and condition of our Common Schools. This improvement is now a recognized historical fact; and it afforded us no little satisfaction in hearing it made the subject of academic congratulation in an official address before the chief men and scholars of Upper Canada upon the occasion of the recent annual commencement of the University of Toronto.

2. As intimated in my Annual Address we have, now, as a people, reason to believe that, after successive years of somewhat indefinite legislation in school affairs, we have at length reached that calm and settled period in our educational history when the fruits of our united toil and labour will be permitted to mature and ripen to an abundant and glorious harvest. As in rural affairs, so in the affairs of intellectual life, there is a time to sow and a time to reap, a time to break up the fallow ground, and to harrow in the fruitful seed, so there is a time for gentle rain and sunshine, for unceasing culture and watchful solicitude. The time for breaking up and moulding the rough character of our School System,—of giving it a broad and noble outline,—of laying deep its foundations, and of marking out the bounds of our future operations, is past, and we may now cordially and unreservedly devote our energies to the developement of the germ of the noble seed that has been sown; to give effect to the wise decisions of the Legislature, and to seek no further, until time and experience demand it, to loosen again the cords which bind together the several mutually dependent parts of our Elementary School System.

3. I cannot forbear referring here to one or two very gratifying circumstances, already alluded to in my Annual Address, connected with the recent reënactment and consolidation of our School System. We have reason to believe that the principles and prominent features of our present School Law received the unanimous sanction of the most experienced educationists of Upper Canada, previous to their being submitted to the Legislature.* And if the subject received such careful attention from numerous individuals, skilfully experienced in the working of former school laws, it received even closer and more careful attention from the Members of the Government,—especially from the Honourable Francis Hincks—and of the Legislature itself. Never before did the great subject of popular education in Upper Canada receive so thorough, so minute, and so patriotic an investigation; never before, (with some exceptions), were mere party ties and preferences so generally obliterated in the discussion of a great question of vital and national interest. Clamour was hushed; diversified feeling was harmonized; the two great sectional interest of the Legislature were merged into one of high-toned nationality; and, in this anxious, calm, and patriotic spirit, did the united Legislature of our Country seek to embody in the enactments of our School law of 1850 the generous spirit which characterized their own feelings and

*For these opinions on the then projected School Bill, see pages 54-72 of the preceeding Ninth Volume of this Documentary History.

deliberations,—to blend in just and effective proportions Executive with Municipal and local with individual co-operation,—to invest the entire System with the characteristics of parental and general solicitude, and to imbue it with the spirit of energetic co-operation. Not the least interesting historical reminiscence connected with our present School law is the fact—and it is indicative of the feelings of the Executive Government for the success of the Measure,—that the first Bill of the United Parliament which received the Royal Assent in Toronto, was An "Act for the better Establishment and Maintenance of Common Schools in Upper Canada."

4. In all these respects has the Legislature of Canada —although too modestly, we confess, —followed in the footsteps of the noble Pilgrims of New England, who knew that, in the laws establishing Common Schools, more than in any other enactment, lay the secret of the future glory and success of their youthful Colony ; " Every child, with them, as it was born into the world, was lifted from the earth by the genius of their Country, and in the Statutes of the land received, as its birthright, a pledge of the public care for its morals and its mind."

5. In New England, Free Schools have been established for two centuries ; in New York the people have now, at two successive ballots, decreed that Free Schools shall be established for ever as a birthright for their children ; while in Upper Canada we content ourselves by merely suffering Free Schools, with all their great and permanent advantages, to flourish, or decay, as caprice or selfishness dictate.* As a people, we have rejected alike the two-century experience of New England, and the touching, almost parental solicitude recently expressed in the votes deliberately recorded in favour of free and universal education in the state of New York. But yet, notwithstanding these chilling facts, we have made encouraging, and, comparatively speaking, rapid progress in Free Schools. Three years ago the name of a Free School was unknown in Upper Canada ; and when it was uttered, people hesitated to adopt it, while some denounced the innovation as containing the germ of an unmixed " Prussian Despotism "† little dreaming at the time, that, by establishing even a partial system of Free Schools in Prussia, that very despotism was but springing a mine that would eventually involve it in utter destruction, and shatter its strongest citadel to atoms. Now, in Upper Canada, we can reckon our Free Schools by tens, almost by hundreds, as a result of the annual vote of the rural ratepayers, at the annual School Meetings. Scarcely a newspaper we take up, containing a report of the proceedings of the local Municipalities, but we perceive by-laws enacted, established, either partially or entirely, one or more Free Schools in a Township. School Superintendent Lecturers make the subject a leading topic of discussion and encouragement ; and Trustees are anxious, by special Meetings, and otherwise, to induce their constitutents to sanction the practical application of the principle to the support of their Schools. The Twelfth Section of the School Law of 1850 recognizes, in distinct and emphatic terms, the right and the privilege of the people to confer upon their separate localities the great boon of a Free School, —free to the children of the rich man, as well as to the children of the poor man, —supported by all alike, for the benefit of all, according to the ratio of the bountiful gifts bestowed upon them by a kind and beneficent Providence ; so that, with the same lavish hand, with which He has blessed us with an abundance of air and sunshine, and other common blessings, we may with equal generosity diffuse among our neighbourhoods the blessings of Free Common Schools, for the religious, moral, and intellectual training of our children,—our Country's future Rulers, Judges, Statesmen, and Pastors.

6. Next to the very encouraging indications referred to, the friends of free education reflect with equal satisfaction upon the numerous accessions of intelligent influence and zeal in favour of our Common Schools. During the past year the interest felt by educated men in the success of our Elementary Schools has been unprecendented. This has been mainly owing to the agency employed to call into action this powerful, but hitherto dormant, influence and co-operation. The establishment of elective City and Town Boards of School Trustees, of County Boards of Public Instruction, in connection with the important and extensive powers conferred upon these Boards, - the superior class of qualifications required of Local School Superintendents, together with the fixed rate of remuneration to which these Officers are entitled,—and the systematizing of the entire of our School operations,—have tended materially to elevate the tone of public sentiment in regard to popular Education.

7. In Cities and Towns the elective franchise in School affairs is much more extended than for ordinary municipal purposes ; while the powers conferred upon the School Corporations are even more important, - not to say potent, as regards the character and future destiny of the City and Town concerned, than those possessed by the Municipality itself. Educated men feel honoured by having interests so vital committed to their hands, and they have, in every instance which has come under my notice, endeavoured at once to elevate the character and condition of the Schools under their charge,—to erect large, pleasant, and commodious School Houses, - to introduce a graduation and system of Schools, and, generally, to give a

*It was not until 1871, that the Provincial Legislature decreed, as did New England, that Free Schools should be established for ever as a birthright for the children of the land.

†See reference to this fact on pages 214, 215 of the Sixth Volume of this Documentary History.

fresh and healthy impetus to the great work in which they are engaged. It is pleasing thus to witness the exalted tone of enlightened public feeling which is gradually springing up in all our Cities and Towns.

8. No less cheering is the general aspect which popular Education presents in our Counties and rural School Sections. Within the last few years the profession of School Teaching has been invested with a higher degree of importance; the standard of qualification has been raised; and the condition of School Teachers generally has been very materially improved. We anticipate much good will result from the judicious labours of the new County Boards of Public Instruction. It remains henceforth with them to say whether, or not, a virtuous, or a vicious, a moral, or an intemperate, man shall be intrusted with the early training of the youth of our land. So far, their efforts to improve the moral and religious tone of the profession of school-teaching, as well as to elevate its literary character, have long been very decided and beneficial. It is to be earnestly hoped that future years will witness a still more rigid adherence on the part of Teachers and Trustees to the spirit of the admirable Regulations for their guidance, promulgated by the Council of Public Instruction for Upper Canada.*

9. The delivery of Public Educational Lectures,—another most important feature of our Elementary School System,—has begun to develop itself, and to exercise a powerful influence in promoting the interests of popular education, wherever it has been called into requisition. Local Superintendents are required by law to deliver one Lecture a year in each of the School Sections under their supervision. Wherever this requirement of the School Act has been complied with, and the people have gathered to listen, an improved and enlightened public feeling in favour of a more generous system of education has been the result. Already the attention of the Department has been called to some valuable educational Lectures of considerable literary pretentions, delivered in various parts of Upper Canada.

10. In this rapid glance which has been taken of our educational progress and capabilities, there is much upon which to congratulate our Country, and to incite us all to a still more united and vigorous effort to give a full and generous expansion to every part of our popularized and admirably adjusted School System. All who wish it well are fully convinced that what it requires is the active and liberal coöperation of all parties concerned in its administration, in order to produce the most abundant and gratifying results. Its elasticity and adaptation to the varied intellectual wants of our population in Towns and Cities, as well as in rural School Sections; and its close and intimate connection with the Municipal institutions of the Country, as illustrated in the Chief Superintendent's Annual Address, cannot fail, with the Divine blessing, to render it a most important and effective auxiliary for the promotion of the social, material and intellectual prosperity of this the destined home of thousands from our Fatherland.

TORONTO, January, 1851. EGERTON RYERSON.

III. POWERS AND DUTIES OF SCHOOL TRUSTEES UNDER THE SCHOOL ACT OF 1850.

In response to various inquiries on the subject, the following is the General Reply by the Chief Superintendent of Education to these various inquiries, relating to the election of School Trustees, and the duties of School Section authorities, in regard their Annual Reports and the examination of their accounts:—

The Second Section of the School Act of 1850 requires, "That the Annual Meetings for the election of School Trustees shall be held in all the Villages, Towns, Cities and Townships of Upper Canada, on the second Wednesday in January in each year, commencing at the hour of ten o'clock in the forenoon."

As the proceedings of these Annual School Meetings are of great importance to the interests of Schools and the promotion of education, I will offer some directions and remarks respecting them.

1. By the Twelfth Clause of the Twelfth Section of the Act of 1850, it is the duty of the Trustees of each School Section, "to appoint the place of each Annual School Meeting, and to cause notices to be posted up in at least three public places of such Section, at least six days before the time of holding such Meeting."

2. It is not necessary that the Trustees should specify any of the objects of the Annual School Meeting, as they are enumerated and prescribed by the Act. The following are the

* See pages 218-221 of the preceding Ninth Volume of this Documentary History.

several clauses of the Sixth Section of that Act, relative to the duties of each Annual School Meeting :—

"VI. *And be it enacted*, That at every Annual School Section Meeting in any Township, as authorized and required to be held by the Second Section of this Act, it shall be the duty of the freeholders or householders of such Section, present at such Meeting or a majority of them,——

Firstly. To elect a Chairman and Secretary, who shall perform the duties required of the Chairman and Secretary, by the Fifth Section of this Act.

Secondly. To receive and decide upon the report of the trustees, as authorized and provided for by the Eighteenth clause of the Twelth Section of this Act.

Thirdly. To elect one or more persons as Trustee or trustees, to fill up the vacancy, or vacancies, in the Trustee corporation, according to law; Provided always, that no Teacher in such section shall hold the office of School Trustee.

Fourthly. To decide upon the manner in which the salary of the Teacher, or Teachers, and all the expenses connected with the operation of the School, or Schools, shall be provided for.

3. It will be observed that the majority of the freeholders, or householders, present at an Annual Meeting have a right to elect whom they please to be Chairman, or Secretary, without any restriction, or exception ; and however few electors there may be present at any such Meeting, (if no more than three,) they have authority to do all that could be done by one hundred electors. The lawfulness of the proceedings of any such Meeting is not in the least degree affected by the smallness of the number of school electors present, any more than the lawfulness of the election of a Member of Parliament would be affected by the smallness of the number of his constituents who had voted at his elections, provided he had the majority of those who did vote. All electors have a right to attend and vote, if they please ; if they do not do so, they have no reason to complain, and are justly bound by the acts of those who did attend and vote.

4. The Fifth Section of the Act requires that :—

The Chairman of such Meeting shall decide all questions of order, subject to an appeal to the Meeting, and shall give the casting vote in case of an equality of votes, and shall have no vote except as Chairman, and shall take the votes in such manner as shall be desired by the majority of the electors present, and shall at the request of any two electors, grant a poll for recording the names of the electors by the Secretary." . . . A correct copy of the proceedings of every Annual School Section Meeting, signed by the Chairman and Secretary, shall be forthwith transmitted by the Secretary to the Local Superintendent of Schools."

5. In the event of a vote being objected to, the Seventh Section of the Act provides :—

That any person offering to vote at an Annual, or other, School Section Meeting, shall be challenged as unqualified by any legal voter in such Section, the Chairman presiding at such Meeting shall require the person so offering to make the following declaration : 'I do declare and affirm that I am a freeholder, (or householder,) in this School Section, and that I am legally qualified to vote at this Meeting.' And every person making such a declaration shall be permitted to vote on all questions proposed at such Meeting ; but, if any person thus challenged shall refuse to make such a declaration, his vote shall be rejected.

The Act then renders any person liable to fine and imprisonment, who shall be convicted of having wilfully made a false declaration as to his right to vote at such Meeting.

6. With these references and explanations I think there can be no doubt on the part of any one, as to the organization and mode of proceeding at an Annual School Meeting. It remains, then, for the electors to discharge the three important duties which the Act imposes. The first relates to the Financial Report of the Trustees ; the second to the election of one or more Trustees ; the third to the manner of providing for the support of their School during the year.

(1) The Meeting is to receive and decide upon the Report of the Trustees for the past year. The Eighteenth clause of the Twelth Section of the Act of 1850 requires the Trustees :

To cause to be prepared and read at the Annual Meeting of their Section, their annual School Report for the year then terminating, which Report shall include, among other things prescribed by law, a full and detailed account of the receipts and expenditures of all school moneys received and expended in behalf of such Section, for any purpose whatever, during such year ; and if such amount shall not be satisfactory to a majority of the freeholders, or householders, present at such Meeting, then a majority of said freeholders and householders shall appoint one person, and the Trustees shall appoint another ; and the Arbitrators thus appointed shall examine said amount, and their decision respecting it shall be final ; or, if the two arbitrators thus appointed shall not be able to agree, they select a third, and the decision of the majority of the arbitrators so chosen shall be final.

This provision of the Act affords Trustees an opportunity of publicly refuting any imputations which may have been cast upon them from any quarter as to their expenditure of school moneys ; it also secures to the tax-payers in each School Section a public annual account of

school moneys of their Section. They have, therefore, the satisfaction of knowing that whatever may be the amount of school moneys which they have raised, such moneys will be expended in their own Section, by men of their own election, and accounted for to them at the end of the year. I am not aware of a provision for so prompt and satisfactory a mode of accounting for school moneys to school constituencies existing in any other Country.

(2) The second important duty of an Annual School Meeting is "To elect one or more persons as Trustee, or Trustees, to fill up the vacancy, or vacancies, in the trustee corporation, according to law." It will be observed from this clause of the Act, that the electors at a School Meeting can elect whom they please, (except a Teacher in their Section,) as Trustee, or Trustees, whether rich, or poor, resident, or non-resident. The Fifth Section of the Act, having specified the order of the retirement of Trustees from office, there can be no misunderstanding, or doubt, on this subject in ordinary cases. But questions have arisen as to the order of the retirement of Trustees elected at the same time, not in a new School Section, but in Sections already established, in cases where one Trustee has been chosen to fill a vacancy, occasioned by the retirement of a Trustee after his three years' service, and another has been chosen to fill a vacancy by death, removal, or resignation. The doubt will be removed, when it is recollected that a person elected in the place of a Trustee who had died, removed from the neighbourhood, or resigned, as authorized by the Eighth Section of the Act, remains in office, not three years, but so long as the person in whose place he has been elected would have remained in office had he lived, or not removed, or resigned. Thus is the harmonious working of the principle of the triennial succession of Trustees secured. I will not repeat here what has been said heretofore, as to the importance of electing the most devoted friend of youth and the most judicious promoter of education in each Section, as School Trustee for the next three years, commencing the fourteenth of January, 1852. There can be no doubt that the duties of School Trustee are much more important than those of a Township Councillor, and not second to those of a Member of the Legislature. I trust that every School elector to think of this, and in behalf of his children, the children of his neighbours, and his Country in all time to come to vote for the best men as School Trustees.

Schools Must Either be Free, or be Supported by Fees, or Subscriptions.

(3) The last important duty of each Annual School Meeting is to decide upon the manner in which the salary of the Teacher, or Teachers, and all the expenses connected with the operations of the School, or Schools, shall be provided for." It will be observed by this clause, that the amount of the Teacher's salary and of other expenses of the School is not to be determined at the School Meeting; the amount of all such expenses, (as required by the Fourth and Fifth clauses of the Twelfth Section of the Act of 1850,) is to be decided by the Trustees,—who are the elected Representatives of the Section Indeed, the question of the precise amount of expense can seldom be decided upon by a public meeting in regard to any undertaking whatever. It is not so decided in any of the public works of Government, of Municipal Councils, Road Companies, etcetera. And the expenses attending the operations of a School are so contingent that it would be as impracticable, as it would be injurious, to attempt the discussion and disposal of them at public meetings. Therefore, what is done by a majority of eighty-four men for the United States, and a majority of Five men for each Township, is wisely left to a majority of three men for each School Section, in respect to the amount of expense of the School,—three men elected for that purpose, and who have no other interest than that of the majority of those who elected them. But the manner of providing for these expenses is left to be decided by a vote at the Annual, or a Special School Meeting. There is, however, one mode of providing for the expenses of a School, which is not recognized by the School Act, though some School Meetings have erroneously adopted it in the early part of the year; we refer to that of a Rate-bill, or tax, according to the number of children of school age. Those who have fallen into the error of adopting this method of supporting their School, have found it necessary to retrace their steps. There is no provision, or principle of the law that will authorize a tax upon a man according to the number of his children. The act recognizes three modes of supporting Common Schools,—Voluntary Subscription, Rate-bill, (that is on parents sending their children to the School), and general rate, or tax "according to the valuation of property, as expressed on the assessor, or collector's roll." Which of these three modes of supporting the School shall be in each Section adopted, must be determined by the electors themselves of such Section. In the neighbouring States, a majority of the Legislature determine how each School throughout the State shall be supported; but in Upper Canada it is left with the electors of each School Section to decide how their own School shall be supported. If they decide to support it by Voluntary Subscription, the Second clause of the Twelfth Section of the Act authorizes the State to collect such Subscription, in the same manner as if it were a Rate-bill, or School Rate. If the majority at a School Meeting should determine to support their School by Rate-bill on parents, they should then determine how much should be paid per month, or per quarter, for each child attending the School; so that all parents sending

their children to the School may know, at the commencement of the year, how much they must pay. But the most simple, equitable and patriotic mode of supporting each School is by School Rate on property, and then opening the School to all the children of school age in the Section,—as free as the sunlight of heaven. The inhabitants of upwards of two hundred and fifty School Sections in Upper Canada adopted this mode of supporting their Schools in 1850; and some of the early and gratifying results are attested in the extracts from local reports, given in the Annual Report of the Chief Superintendent of Education for the year 1850. In the same Report will also be found the Address of the Chief Superintendent to the people of Upper Canada, "On the System of Free Schools."* In every case, where a Free School is adopted, two things should be especially remembered,—there should be room in the School House for all the children in the Section who will attend the School, and there should be a Teacher competent to teach them all.

CHAPTER V.

CIRCULARS FROM THE CHIEF SUPERINTENDENT TO VARIOUS SCHOOL OFFICERS.‡

I. Circulars to the Clerks of the Municipal Councils of the several Cities, Towns and Incorporated Villages in Upper Canada, the first apportionment of the Legislative School Grant, under the New School Act of 1850.

I have the honour to intimate to you, for the information of the Council of which you are Clerk, and of your Board of Common School Trustees, that the sum opposite the name of your Municipality in the accompanying list, has been apportioned to it for the current year out of the Legislative School Grant.

2. By the 42nd Section of the School Act of 1850, the amount of School Money apportioned to each City, Town, and Incorporated Village is payable to the Chamberlain, or Treasurer, of such Municipality by the Honourable the Receiver General, Toronto.

3. This being the first apportionment of the Legislative School Grant under the new School Grants I would direct the attention of the Council to the provisions of the Eighteenth and Twenty-seventh Sections of the new School Act of 1850. By these Sections Municipal Councils are required to raise by assessment on the rateable property of the Municipality a sum at least equal, "clear of all charges for collection," to the amount of the Legislative School Grant. These two sums together form the "School Fund," which can only be paid out as "Salaries of legally qualified Teachers," and can be applied to no other purpose.

4. I would remind you of the provision of the School Law which requires the Council to furnish the Chief Superintendent from time to time with a copy of the proceedings of the Council on School matters, and the name of the Municipal Treasurer.

Toronto, 1st May, 1851. J. George Hodgins, Deputy Superintendent.

II. Circular to Local Superintendents of Common Schools on the mode of Distributing the School Fund among the Several School Sections for the year 1851.

1. I address this Circular to you, on the subject of distributing the School Fund "for the present year among the several School Sections placed under your charge. The First clause of the Thirty-first Section of the New School Act of 1850, requires each Local Superintendent, "as soon as he shall have received from the County Clerk a notification of the amount of money apportioned to the Township, or Townships, within the limits of his charge, to apportion the same, (unless otherwise instructed by the Chief Superintendent of Education,) among the several School Sections entitled to receive it, according to the average attendance of pupils attending each Common School, (the mean attendance of pupils for both Winter and Summer being taken,) as compared with the whole average number of pupils attending the Common Schools of such Township."

2. It is clear from the clause of the Act thus quoted, that, if no instruction be given by the Chief Superintendent of Education on the apportionment of the school money by Local School

* For this Address, see pages 573-81 of the preceding Volume of this Documentary History.

‡ Wherever it was possible, these Circulars have been curtailed and abridged, where the references in them was to purely local and temporary matters. The Circulars themselves incidentally reveal what was the actual state and wants of the Schools and School affairs in Upper Canada fifty years ago.

Superintendents, the average attendance of pupils must be the basis of such apportionment. The power given to the Chief Superintendent as to the basis of apportioning the money to the several School Sections under your charge, was designed merely to prevent the introduction of the new principle of apportionment without proper notice and against the wishes of any County. I have no desire, or interest, on the subject, except that which will be most acceptable to the people at large, and most conducive to the education of their children. The principle of aiding those who help themselves, and in proportion as they do so, appears the most equitable, and best calculated to call forth local effort to keep the Schools open both Summer and Winter, and to secure the largest and most regular attendance of pupils. But, at the same time, all parties concerned ought to have a year's notice that the amount of school money to be apportioned to them the following year would depend upon their exertions, and not upon the accidental circumstance of the number of children of school age resident in their Section. In order, however, to render the administration of the law on this point harmonious with the wishes of the people, the several County Councils have been consulted ; and I have received replies from most of them. The purport of the greater part of the replies is in favour of apportioning the school money to each Section the current year according to the ratio of school population, and not of school attendance ; in some of the replies no wish is expressed on the subject ; and in one, or two, instances, County Councils have expressed a wish to have the moneys apportioned upon the basis of last year's attendance, as contemplated by the of the law. . .

3. Two of the County Councils have expressed a wish that the distribution of the School Fund for 1851 be according to the average attendance of pupils, as contemplated in the first clause of the Thirty-first Section of the School Act of 1850. . . .

4. The remaining Counties have not expressed any opinion on the subject to the Education Office.

5. With the wishes thus expressed it is my desire to comply. I have, therefore, to request, that in all cases where your County Council has either expressed no opinion on the subject, or has expressed a desire that the former method of apportioning the school money the current year should be continued, you will apportion the same according to the ratio of children between the ages of five and sixteen years resident in each School Section, as compared with the whole number of children of school age in the Township. But, if your County Council has expressed a wish that practical effect should be given to the new provision of the law on this subject, you will then apportion the school money to the several Sections under your charge according to the average attendance of pupils during the past year,—"the mean attendance for both Winter and Summer being taken."

6. Two questions have been proposed to me by several Local School Superintendents, as to the basis of apportioning the school money to the several School Sections. The first is, whether a School Section in which the School is kept open only six months is entitled to an apportionment equal in amount to another Section with the same number of pupils in which the School is kept open nine, or twelve, months ? I answer, that the law having prohibited the payment of school moneys in aid of any Section in which a School shall not have been kept open six months during the preceding year by legally qualified Teacher, the period of six months has been regarded as the minimum of a school year. Yet, as the law does not require the Local Superintendent to pay to the orders of the Trustees of a School Section, in which a School may have been kept open six months all that may have been apportioned to such Section for the year, there is room to consider the question as to whether two Sections equal in school population should receive an equal amount of aid from the School Fund, though in the one case the School should be kept open only during six months of the year, and in the other Section twelve months. Thus, for each Section, in which a School has been kept open six months during the year by a qualified Teacher, has received the full amount of the apportionment for such year. That course, I think, should not be departed from during the current year. But the question involved may, I think, form a proper topic of remark and consultation at the County School Conventions, which I hope to be able to attend during the ensuing Autumn throughout Upper Canada.

7. The second question which has been proposed by several Local Superintendent, relates to the mode of apportionment, where the average attendance of pupils, and not school population, is made the basis of apportionment to the several School Sections of a Township. To ascertain the average attendance of pupils at a School for a given period, involves no difficulty ; but I am asked, how the mean attendance of Winter and Summer is to be obtained ? I answer, that in the directions which have accompanied the blank forms of Trustees' Reports during the last two, or three, years, it is stated that "the term Summer in the Report is intended to include the half year commencing in April and ending in September, and the term Winter, the half year commencing in October and ending in March ;" or in other words, the Summer part of the school year commences in the Spring and the Winter part in the Autumn Should the "average Winter attendance" of pupils in a School Section be fifty, and should there be no School in such Section during the Summer, the "mean attendance of pupils in Winter and Summer" in such Section would be twenty-five ; but should there be a School in such Section

during the Summer, and the average attendance be forty, the then mean attendance of fifty in the Winter and forty in the Summer, would be forty-five.

These remarks on the modes of apportioning the school moneys, will, I hope, be sufficient to guide you in performing this part of your duty the current year. In the contemplated School Conventions next Autumn, we will confer on this, as well as on other, important subjects connected with the working of our School System.

TORONTO, 28th June, 1851. EGERTON RYERSON.

III. CIRCULAR TO LOCAL SUPERINTENDENTS IN UPPER CANADA, IN TRANSMITTING BLANK FORMS OF REPORTS, AND DIRECTING THEIR ATTENTION TO SEVERAL MATTERS.

1. I transmit to you herewith the blank Reports for the Trustees of the Schools under your charge, and for yourself, for the current year, 1851. . . . It is important that the Trustees should have these blank Reports in good time to enable them to fill them correctly and fully before the ensuing Annual School Meetings, (to be held as directed in the new Act of 1850, on the second Wednesday in January next,) at which the Trustees are required to read these Reports to their constituents, and then to transmit them forthwith to you. In each blank Report, there are plain and minute directions to Trustees as to the manner of filling up the various columns which it contains. . . . I have forwarded you these blank Reports direct by mail, instead of by stage through the County Clerk, in order that you may have ample time to secure the prompt delivery of them to each of the parties concerned. . . .

2. I also forward to the Clerk of your County one copy of my Annual School Report for 1850 for yourself, and one copy for each of the School Trustee Corporations within your jurisdiction. . . . This Report occupies nearly Four hundred (400,) royal octavo pages; and, besides a large amount of statistical information, it contains a copy of the School Act of 1850, the Forms, Regulations, and a great variety of Documents, which will render it a comprehensive School Manual for Trustees and all other parties concerned in the administration of the School System. To aid you still further in the preparation of School Lectures, and in deciding doubtful questions, I transmit to the County Clerk for your use a copy of the three bound Volumes of the *Journal of Education for Upper Canada*. Besides a great variety of educational articles, and educational intelligence generally, nearly every question of dispute arising under the operation of the School law, has been discussed in the *Journal of Education*, and may be referred to by means of the Index prefixed to each Volume; and the disputed questions not referred to in the first three Volumes of the *Journal*, are discussed in the fourth Volume, (not yet completed), and in the Appendix to my Annual Report. It will be observed that all copies of School Reports, Acts, and so forth, thus provided for Local School Superintendents and Trustees are not the property of individuals, but of School Officers and Corporations, and appertain to the Officers and Corporations by whomsoever filled, either now, or hereafter. It is important that every School Trustee, and I may say every school elec or should understand the new school Law, which has been so carefully prepared, and the principles and character of the School System itself; and I have done what I could to promote this object by issuing the *Journal of Education for Upper Canada*, and by the local circulation of Annual School Reports. It is one of the gratifying indications of progress, that the liberality of the Legislature has enabled me, during the last and the present year, to furnish each Municipal Council, School Superintendent, and School Corporation in Upper Canada, with a copy of the Provincial Annual School Report,—a Report which I have endeavored to render as complete and as instructive and interesting as possible.

3. To the filling, and adding up, of the columns of your own blank School Report for the current year, and to its early transmission to this Department, I must solicit your special attention and care. To the printed directions accompanying the blank Report, I need only add a few words on filling up the columns relative to the average school attendance of pupils. The strictest accuracy and uniformity in determining this is the more important as the present School Act provides, (not indeed, as some have supposed for the apportionment of the Legislative School Grant to Counties and Townships, but) for the distribution of the School Fund to the several School Sections in a Township, according to the average attendance of pupils at the School of each Section, the mean attendance of Winter and Summer being taken, as already explained. I need not enlarge on this principle of the law which proposes to aid each School Section, not according to the number of children of school age resident in it, nor according to what the amount of its taxable property, nor according to what the inhabitants in each School Section may contribute, but according to the number of children actually sent to the Schools, and the time and punctuality of their attendance, conditions favourable to the poorer Sections. Such being the principle of the School Law in respect to the local distribution of the School Fund, care should be taken that no errors, or attempted abuses, escape detection in the Returns of the average attendance of pupils. This you can easily prevent. The School Law requires each Local Superintendent, at his Quarterly Visit to each School, to ascertain among other

things, the average attendance of pupils. Your own quarterly notes, therefore, of the average attendance of pupils at each School will enable you to test the accuracy of each School Report on this point. Where any change has been made in the municipal boundaries of your Township, care should be taken to distinguish the new divisions in your Report.

SPECIMENS OF MAPS AND VARIOUS SCHOOL APPLIANCES SENT TO THE COUNCIL.

4. With a view of aiding in furnishing Schools with proper Maps and Apparatus, as well as Text-books, I have forwarded to the Clerk of your County, for the information of the Members of the Council, Local Superintendents, and all other School Officers, specimens of Maps, Historical and Natural History Prints, etcetera, to the value of £6 or £7. The last sixteen pages of the Appendix to my Annual Report are occupied with a Descriptive Catalogue of a great variety of school publications of this kind, which I have arranged to procure for the Schools at cost prices. I have also procured samples of the latest and most improved kind of School-house Furniture, which, I am inclined to believe can be manufactured here for Schools, cheaper than it can be imported from the United States. Having also selected, and made arrangements for procuring a supply of some Two Thousand Volumes of Books for Public School Libraries, this last branch of the School System will, in the course of a few months, be completed, and a list of the Books, with the prices, will be published in the *Journal of Education* for the information of the Municipalities and the various School Authorities.

5. In conclusion, I would call your attention to that clause of the new School Act, (Section Twelve, clause Fifteen,) which makes it the duty of each School Corporation "to procure annually, for the benefit of the School Section, some Periodical devoted to Education." This is to be done not at the expense of the Trustees, but at the expense of the School Section for whose benefit the Periodical is procured, and should be included as one of the items of expense for which the Trustees make provision in levying the School Rates. The benefit of such a Periodical, from any Country, in a School Section, even if read by no more than one, or two, of the Trustees and the Teacher, would many times over-balance the one dollar paid for it. I have reason to believe that this provision of the Act has been but partially carried into effect. This ought not so to be. Every School Corporation ought to have a School Periodical. During four years I have, without a farthing's remuneration, at some expense of means and much labour, voluntarily conducted and caused to be published the monthly *Journal of Education*, containing that kind of information which appeared most appropriate to School Trustees and other persons concerned in the administration and success of the School System throughout Upper Canada. In addition to the usual topics discussed and intelligence given in the *Journal of Education*, the next Volume will contain the Regulations for the establishment of Libraries, and Catalogues and characteristic notices of the Books which may be recommended for such Libraries. I cannot promise the continued assumption of this burthen longer than the next year. When I assumed the duties of this department in 1844, I allowed myself five years to get the foundation of the School System laid, in respect to the Law, Normal School instruction, Text-books, Maps and Furniture for Schools, Plans of School-houses, and Libraries. I trust the next year will witness the completion of this preliminary part of the great work; and I hope that the next Volume of the *Journal of Education* which has contributed so much towards such a consummation, and duty of carrying forward the work thus begun, until every child in the land shall be taught in a good School, and nurtured in the principles of Virtue and Knowledge.

TORONTO, 18th of December, 1851. EGERTON RYERSON.

IV. CIRUCLAR TO CLERKS OF COUNTY COUNCILS IN UPPER CANADA, TRANSMITTING VARIOUS REPORTS, PUBLICATIONS, MAPS, AND SCHOOL APPLIANCES FOR THE USE OF THE MUNICIPALITIES AND LOCAL SCHOOL OFFICERS.

I forward to your address a sufficient number of copies of my Annual School Report for 1850, to supply the County Council, the County Board of Public Instruction, each Township Council, each Local Superintendent of Schools, and each School Corporation in your County, with a copy. This is the first Annual Report which has been prepared under the present School Act of 1850; no pains have been spared in collecting its varied statistics; a copy of the School Act is given in the Appendix, and various Documents and Papers are inserted, to render it a practical expositor of the School System, and a convenient manual of reference for Councillors and all other persons concerned in the execution of the School Law, and in promoting education. I also transmit to you the First, Second and Third Volumes of the *Journal of Education* for each of the Local Superintendents in your County; likewise a copy of the Second and Third Volumes, (not having any more copies of the first volume,) of the *Journal of Education* for each of your Township Councils, and a copy of the first three Volumes for the

County Council and County Board of Public Instruction.* The indices in these volumes and in my Annual School Report, will enable the Municipal Councils to satisfy themselves on all doubtful matters in the performance of their duties, without the trouble and loss of time occasioned by frequent references to this Department. I hope you will lose no time in seeing that these Publications and Documents are forwarded to the parties to whom they are addressed to,—that, if they do not receive them as a New-Year's Gift, they may, at least, receive them by New Year's Day. I should have transmitted them to you earlier, could my Annual Report, (of nearly four hundred, (400,) royal octavo pages, and a large proportion of it statistical Tables,) have possibly been sooner got through the press.

2. I likewise forward to you, for the acceptance of the County Council, and for reference by all school officers, between £6 and £7 worth of specimen Maps, Natural History Prints, and other School publications, for the use of Schools. These are as samples from the great variety of School Publication and Requisites, kept for sale at the Educational Depository, a Descriptive Catalogue of which, with prices annexed, occupies the last sixteen pages of the Appendix to my Annual Report, and which, (from the advantageous arrangements which I have made with the Publishers,) can be procured through this Department at much lower prices than they can be purchased at retail in the Cities where they are published. In 1847, I had the pleasure of presenting to each County Council in Upper Canada, a complete set of the National School Books, and other publications, (a donation from the Irish National Board of Education, Dublin,) with a list of the prices at which they could be procured. The examination of these Books produced, at once, an almost (and so far as I know, a) unanimous impression upon the local representatives of the people, and soon, through them, upon the public mind at large, in favour of the National Books, both on account of their excellence and of their cheapness. And now, as appears by the returns which will be found in my annual Report for 1850, the great majority of our Schools are supplied with these excellent Books, instead of the old, inappropriate, multitudinous, and often pernicious, Books which were formerly inflicted upon children and Teachers. Last year I was enabled to present each Municipal Council in Upper Canada with a copy of a practical and valuable work on *School Architecture*, containing also various plans of School-houses. By the same means, I am able this year to present to the County Councils, through you, with the Maps and Publications above referred to. I may add, that I have recently procured samples of improved School-house Furniture, which can be seen by inquiring parties at this Department, and a supply of which I hope to get manufactured in this City, as I am assured it can be manufactured in Canada as cheaply as it can be imported from the United States. At all events, I trust soon to be able to announce that all Trustees who may wish to furnish their School-houses in the best manner, can procure furniture for that purpose, either through this Department, or from some furniture establisnment in this City.

3. From the beginning I have had no desire, nor have I ever made any attempt, to force any part of our School System upon the Country, but to reason, to persuade, and to diffuse information in every way possible, to provide as far as possible for the more thorough training, the more careful licensing and the better protection and support of Teachers, and not only to ascertain the best School Publications and various School Requisites devised and introduced into Schools in other Countries, but to provide facilities for rendering them accessible, at the least expense, to the authorities of every School, even in the remotest Townships of Upper Canada. These efforts have been most cordially aided by the Government, and heartily responded to, with very few exceptions, by the Municipalities throughout Upper Canada.

4. Between one and two thousand Volumes of Books have been selected for County, Townships, and School Section, Libraries, and arrangements have been made for procuring them on advantageous terms in London, Edinburgh and Dublin, New York, Philadelphia and Boston. Before these Books can be finally recommended by the Council of Public Instruction to be introduced into Public Libraries, they must be carefully examined,—which will be a work of some months,—when a Descriptive Catalogue of them will be published in the *Journal of Education* for 1852, together with the Regulations for the establishment and management of the proposed Libraries.

5. Several of the Municipal Councils of both Counties and Townships have aided in diffusing information on educational subjects, by promoting the circulation of the *Journal of Education*. I submit how far your County Council may deem it a duty to co-operate in this work during the ensuing year. Had I made the application, I have reason to believe that Legislative aid would have been granted me to sustain the *Journal of Education* and promote its circulation. But I have determined from the commencement, at whatever risk, or loss, to rely solely upon the voluntary support of Municipalities, School Corporations, and individual friends of education. I have incurred personal expense, but I have not, nor can I under any circumstances, derive a farthing's gain, from the *Journal of Education*, any more than any Member of your

*The first Volume was transmitted on the 6th of February, 1849, to the Wardens of Counties, for the use of the Educational Committees of the Municipal Councils.

County Council ; and the preparation of the matter alone for four Volumes of such a publication is no small item of labour. However, this labour and responsibility shall be continued during the publication of another Volume ; and, as I intend that that Volume shall, if in my power, exceed in value and interest any of the preceding Volumes, I shall feel encouraged and rewarded by its more extensive circulation and usefulness.

Toronto, December 1, 1851. Egerton Ryerson.

P. S.—The 5th clause of the 27th Section of the School Act, requires each County Clerk to transmit annually to the Chief Superintendent of Schools, a certified copy of the County Auditors' report of the receipts and expenditure of school moneys in the several Townships of the County. To aid you in performing this duty, and to secure uniformity and completeness in these important returns, I have prepared a blank form for that purpose, and I forward you a printed copy of it, requesting your particular attention to the preparation of the returns it provides for, and to their transmission to this Department, as required by law. E. R.

CHAPTER VI.

THE UNIVERSITIES AND COLLEGES OF UPPER CANADA.

I have, for convenience, grouped together in this Chapter various Letters, Reports and Papers relating to the several Universities and Colleges in Upper Canada.

1. THE CHURCH UNIVERSITY.—TRINITY COLLEGE, 1851.

1. Correspondence of the Honourable Peter B. de Blaquiére, Chancellor of the University of Toronto, and Bishop Strachan, on the Church University.

The following Letter was sent by Mr. de Blaquiére to a local newspaper in Toronto :—

May I request you to make public the enclosed Correspondence as soon as convenient, for the information of those interested in the subject.

1. The concluding Letter in the series of the Bishop of Toronto in so far as it relates to myself I will not condescend to notice. I desired the publication of the proposed Church University Charter for the benefit and information of others, and not to acquaint myself with its contents, of which being already fully aware, I was enabled to state its obnoxious character. The statement remains uncontradicted, as well as the allegation in the accompanying Letter, Number Three, that the Bishop of Toronto used his utmost endeavours, when in England, to convert into a Royal Charter what he is now pleased to term a "rough draft of a Charter," —although its terms were wholly unknown to those in Canada for whose benefit it was said to be sought.

3. I was not the originator of the "slanderous accusations,"—they originated in a Pamphlet promulgated by the Bishop of Toronto, while in England, and were directed not only against the character of the University of Toronto, but involved that of three Ministers of Religion, (two of them of the Church of England, and Professors of the University,) and of every one else connected with the Institution, including myself, as Chancellor, who, it is to be presumed, was pointed at as presiding over a "Godless and anti-Christian Institution."*

4. I cannot admit the right of any man, even of the Bishop of Toronto, thus to stigmatize me, or to debar me from giving statements so erroneous an unqualified and direct denial. The Document in question was circulated by the Bishop everywhere out of Canada ; but had been seen by very few within the Province. It only came into my possession accidentally very late in the year. It is to this Document and its author, and not to those who merely re-echoed its sentiments, that I feel called upon to reply.

5. I never intended to rest the capabilities of the Baldwin University Bill of 1849, for Religious adaptation to all classes, exclusively on the Preamble of the Act of last year, as quoted by me in the Document laid before the Senate. I brought it forward as illustrative of the character of the Institution generally, in regard to Religion. Had that Preamble never

* For the names of these three Ministers, see page 270 of the next preceding Volume of this Documentary History.

existed, it can be shown that the first Act was fully equal to effect the same object; and, in point of fact, it is under the provisions of that Act that the Religious character of the University has been placed beyond the reach of cavil.

6. In concluding this, to me, painful discussion, and into which I have been forced, I would fain observe that my apprehensions as to the working of the University Act of 1849, and anxieties as to the result, arose less from the belief that they could not be successfully brought into operation on this point; that, from the doubts I entertained, as to how far a numerous body composed, as in the Senate of the University, of persons of various Religious opinions and brought together for the first time,—how far they could be brought to agree as to the mode in which Religious Instruction was to be arranged; and these doubts and difficulties were increased by circumstances into which it is not necessary now to enter; but which, most providentially, have been rewarded, as I hope and believe forever.

7. It is, however, satisfactory to observe that the Bishop does not now insist that the University is "Godless",—for, in defending his use of that term, on the ground that it was used previous to the passing of the supplementary University Bill of 1850, he negatively admits, that his complaint on that score, if ever sound, has been removed; indeed he could not, with any propriety, now persist in such an allegation, for the Reverend Doctor Beaven, late Professor of Divinity in King's College, continues to hold office in the University as Professor of Moral Philosophy, although he is well known to hold strong views in regard to the connection of religious and secular teaching.*

8. It is to be presumed that Doctor Beaven, as a Minister of the English Church in Canada, is satisfied that such instruction can be satisfactorily given,—and there is no doubt whatever upon the subject, as the event will prove.

9. The measures already taken by the Senate with a view to religious instruction are an earnest of what is to follow; they are clear, definite and satisfactory.‡ Amongst these, I may mention that Doctor Beaven has effected the division of the study of Moral Philosophy into Ethics and Metaphysics, and has instituted a separate Medal and Prize for the "Evidences of the Christian Religion."§

10. He has also announced his intention to introduce a Statute into the Senate requiring that Letters shall not be allowed to interfere with the giving of Religious Instruction.

11. Under these circumstances, I hope the Bishop of Toronto may be induced to give up his present intentions as to any exclusive Church University, and instead, thereof, will seek an affiliated College in connection with the University of Toronto.‖

12. If this desirable result could be accomplished, I am confident that this course would best further the true interests of the church of England [in Upper Canada] and will be hailed with pleasure by a large majority of her Members in this Province.

13. But if, on the other hand, the Bishop of Toronto still persists in his present intentions, I shall feel it my duty to move an Address to His Excellency the Governor General in the Legislative Council, so soon as the Legislature assembles, praying for the production of the Charter in question, and an Address to her Majesty the Queen not to grant the same, for the reasons already given.¶

YORKVILLE, January 13th, 1851. PETER BOYLE DE BLAQUIÉRE.

II. LETTER FROM THE HONOURABLE PETER B. DE BLAQUIÉRE TO THE BISHOP OF TORONTO.

1. I have been informed that you have laid before a Committee in Toronto, acting on behalf of your intended Church University, a Copy of the Charter which was prepared by yourself whilst in England and submitted for approval to the Colonial Secretary. It does not appear that its provisions were made known to the persons who applied by Petition to Her Majesty the Queen for a Charter*; or to the Members of the Church of England in this Diocese on whose behalf it was sought.

2. I am informed that your Lordship has announced that the Charter may be seen at the Office of the Church Society in Toronto, by any of those who signed the petition. If by this is meant those only who signed the Petition first referred to, its perusal is limited to thirty-

*See Correspondence on this subject between the Reverend Doctor Beaven and the Chancellor himself, printed on pages 269-271 of the Ninth Volume of this Documentary History.

‡ These Regulations for the giving of Religious Instruction to the Students in the University of Toronto will be found on pages 294, 295 of the same Ninth Volume.

§ See page 268 of the same Ninth Volume.

‖ See the remarks of Bishop Strachan on this proposed affiliation of Trinity College with the University of Toronto. That affiliation is, however, now, (in 1902,) sought to be accomplished by the present Authorities of the College. See page 255 of the same Ninth Volume of this History.

¶ For a copy of this Charter, see pages 260-262 of the same Ninth Volume of this Documentary History.

two individual, for only that number signed the Document in question ; but, under any circumstances, it would seem quite proper that every Member of our Church, which you state consists of 200,000 ; each head of a family amongst us, whether approving, or not, of your intentions, has an undoubted right to see, if so disposed, the provisions of a Charter affecting the whole of our Religious Community in Upper Canada.

3. I consider this right extends to all of every Denomination interested in university education, but upon that it is not now necessary to enter.

4. I am, therefore, induced to request your Lordship will permit me to have a copy taken of this Document, in order that it may be brought under the notice of our Church generally, and of all those who are, more or less interested therein.

5. If your Lordship objects to my having a copy taken, or my becoming the medium of its communication, will you be pleased to cause it to be printed and distributed to each Church Society of the Diocese, general, or parochial, for public information.

YORKVILLE, 7th January, 1851. PETER B. DE BLAQUIÉRE.

III. LETTER TO THE HONOURABLE P. B. DE BLAQUIÉRE FROM THE BISHOP OF TORONTO.

1. I have the honour to acknowledge your Letter of this day, in which you permit yourself the liberty to interfere with what you call my intended University, and to request a copy of the rough draft of the Charter, which I submitted while in London to Her Majesty's Principal Secretary of State for the Colonies.

2 Having been made acquainted, since my return from England with your bitter and un-Christian hostility to the Church University, I am scarcely prepared for such a request, because, in the simplicity of my heart, I thought that those, who did not contribute to its support and were unfriendly to it, would, at the very least, feel it incumbent on them as gentlemen, even if possessing but a very small share of delicacy and honour, to let us alone.

3. Mistaken in this honest conclusion, and having really nothing to conceal, I shall, with great pleasure, comply with your request, unprecedented as it must be allowed to be, as soon as you favour me with a correct copy of the "slanderous document" of ten, or twelve, pages, which you presented, some time ago, to the Senate of the University of Toronto, and likewise an authentic copy of the violent and abusive speech with which you were pleased to introduce it.

TORONTO, 7th January, 1851. JOHN TORONTO.

IV. LETTER TO THE BISHOP OF TORONTO FROM THE HONOURABLE P. B. DE BLAQUIÉRE.

1. I have to acknowledge the receipt of your Letter of the 7th instant, in reply to mine of the same date. I cannot perceive anything in my Communication which would call forth what you have addressed to me. I intended to write in all courtesy, with a Christian spirit, and in the language in which only one Gentleman can address another. I leave it to be determined if the same spirit has been shown to me by Your Lordship. This, however, will not divert me from my long fixed and settled purpose.

2. My request was not on my own behalf, but for the sake of those who are deeply interested in the result of what you are seeking to establish. I believe, and still think, that no intention existed on the part of Your Lordship to allow the provisions of this Charter to be made known in Canada, until it had received the Royal sanction ; and, I believe so, because I am aware that Your Lordship used every effort, when in England, to convert what you are now pleased to call a "rough draft" into a Royal Charter.

3. Setting aside, for the present, what I assert, and will hereafter prove, that no University Institution is needed for the Church of England and Ireland, in Upper Canada, I observe that the obnoxious features of your intended Charter are these :—It is not such as those of Victoria, or Queen's College, or of King's College, as it is said to be : but a Charter intended to vest in the Bishop of Toronto and his Successors in this Diocese, without control, the whole power and authority of a University Institution, directly, or indirectly, whether administrative, or executive. If this be not so, I ask Your Lordship again to permit the Document to be set forth, and I must stand convicted of falsehood.

4. Against such assumption of arbitrary power, I protest in the name of British freedom, and will continue to raise my voice against it, and still be free from the accusation of entertaining "bitter and unchristian hostility to the Church University."

5. Your Lordship is pleased to attach two conditions to the granting of my request. I comply with the first, and enclose a copy of what you are pleased to call the "slanderous document," which I presented to the Senate of the University. It was referred for considera-

tion and report to a Committee, and is still before them.* I desire nothing retracted from it, except that Victoria College was closed and its Buildings sold.† This is not so ; as I have since ascertained. I have reason to know that the Buildings have been offered for sale ; and the College is only kept open to preserve the public grant to it.‡ I would wish to add, that, since the presentation of this Document, I have received a Communication from the Roman Catholic Bishop of Toronto, Monseigneur le Compte de Charbonell, stating that he had carefully looked over the Acts, under which the University of Toronto is established ; and that, in his opinion, they are fully calculated to meet the reasonable wishes and expectations of the whole community of Upper Canada ; and announcing his intention, on behalf of his people, to become affiliated with the University, charging himself with their Religious Instruction.

6. Your second condition, is to furnish you with an "authenticated copy of the violent and abusive Speech with which I was pleased to introduce it," (the document.) " to the Senate.' I cannot comply with this request because no such Speech was made ; nor do I believe I am capable of making such an one. I distinctly stated to the Senate, that it was for the purpose of avoiding making a verbal declaration I had thought it best to put all I wished to say in writing.

7. The document in question was drawn up for the purpose of repelling slander ; and it now remains to be determined here, and in Great Britain, on whom this accusation will rest. I appeal from your Lordship to the public, and I reiterate my request, having complied as far as lies in my power with your conditions, that you will furnish me with an authority to have a copy taken of your intended Charter.

YORKVILLE, 9th January, 1851. PETER B. DE BLAQUIÉRE.

V. LETTER FROM THE BISHOP TO THE HONOURABLE PETER B. DE BLAQUIÉRE.

1. Having read the copy of the Paper, emanating from yourselt, which you have laid before me, I must decline any further Correspondence with you, after the business to which this Letter relates is closed, as it would now appear to be.

2. It may accord with your sense of the respect which a Gentleman owes to himself and to others to apply such language as you have applied in that Paper to statements made by the Bishop of your Diocese, your senior in age. But you preferred, for reasons not difficult to be understood, to abstain from applying the same insulting and offensive language to the same statements publicly made by others, who professed to speak, as you well know, the sentiments of whole Religious Communities, who looked upon the Godless character of the Toronto University in no other light than I did, and described it in no other terms.

3. It may accord with your sense of candid, as well as gentlemanly dealing, to describe, in a Paper written in November, 1850, the Charter of the Toronto University as undeserving of the character which I had ascribed to it in the month of June preceding, and to found upon the comparison a charge of falsehood against the Bishop of your Church, when you know well that it required the special aid of an Act of the Legislature, in the month of August, 1850, in which you at least concurred, to relieve it from the character which, in common with thousands, I had given of it, and which you could not be ignorant was true before that alteration was made, which it was hoped would in some measure remove the reproach.

4. The unfairness, however, was too glaring not to be at once exposed, and I must allow myself to say, that the honour of your attack upon me is as little to be excused as the courage of it is to be admired. You have disavowed having introduced the Paper, which, in itself, was most insulting towards me by observations which were equally offensive.

5. If I am to credit this statement, I must discredit the accounts of others, whose character for veracity you would not go so far as to impeach ; you can hardly be at a loss to know some of those to whom, from long personal acquaintance, I must mean to allude. Were they, indeed, who heard your remarks, to confirm your disavowal, I should at once direct a copy of the Paper you desire to be sent to you, but this I take to be impossible.

6. In the meantime, as I have requested Mr. Champion to allow any contributor to the Church University to peruse the paper at his leisure, though you may not be yourself of the number, and may have no other concern with the object than to stir up evil and to find fault with those who are exerting themselves to promote it. You can scarcely not find it difficult to obtain a knowledge of its contents.

TORONTO, 11th January, 1851. JOHN TORONTO.

*See pages 244-246 of the Ninth Volume of this Documentary History.

†See Note on this matter on page 253 of the same Ninth Volume.

‡This statement is not correct, as will be seen by reference to a Note on page 253 of the same Ninth Volume.

VI. Letter from the Reverend Doctor Ryerson to the Editor of "The Church" on the subject of the Church of England University, Toronto.

1. My attention has been called to an Editorial article in "*The Church*" newspaper of the 2nd instant, in which I find an attack upon myself as virulent and abusive as it is truthless. You metamorphose me into an officious and relentless opponent of an University Charter to Trinity College, and then thoroughly abuse me for it; when the fact is, I never did one thing, or said one word for, or against, granting such a Charter to Trinity College, on either side of the Atlantic. It was an affair of the Church of England in this Province, which affected the rights of no other Religious Denomination; and I am not in the habit of interfering in any way, whatever, in matters connected with the internal affairs of any Church of which I am not a Member.

2. I arrived in England last Autumn, after the Lord Bishop of Toronto's departure for Canada, and, therefore, after the close of his Correspondence with Lord Grey, the Colonial Secretary; and I did not return to Canada until June, after the close of the Bishop's Correspondence with His Excellency, Lord Elgin. I could not, therefore, have opposed the Bishop's application either in England, or in Canada, as you allege.

3. It is true that, in my first interview with Lord Grey, some time in November, his Lordship enquired of me as to the Toronto University. My reply was that the Act modifying it, had been strongly objected to, on Religious grounds, by the Wesleyan Methodists, as well as by the Authorities of the Church of England; but that the Authors of the Act had not intended to proscribe Religious Instruction; and to remove all doubts on the subject and meet the Religious feelings of the Canadian people, a Bill had been introduced and passed during the (then) recent session of the Legislature in 1850, expressely recognizing the principle of Religious Education, and providing for the Religious Instruction and oversight of Students in the University, in the same manner that it had been provided for in respect to Student-teachers in the Provincial Normal School, to which no Religious Persuasion in Canada had taken exception and in the carrying out of which all had co-operated.* At this, Lord Grey evinced much satisfaction, but expressed his surprise that he had not before heard of this amended Act, and wished to know if I would furnish him a copy of it, as he had not received any of the Acts passed by the Canadian Legislature at its (then) late session of 1850. I promised to do so.

4. His Lordship asked me as to the views of the several Religious Denominations in Canada, in regard to the Toronto University, as now established. I told him, that, as it was established upon the same principle in regard to Religious Instruction as was the Provincial Normal School, to which no Religious Body objected, I thought it would be approved by the Religious Denominations of the Country generally, —that the Synod of the Free Church of Scotland in Canada had expressed its satisfaction with the Religious principles of the amended University Act of 1850, as had the Conferenee of the Wesleyan Methodist Church in Canada,— that there were but two Denominational Colleges in Upper Canada, with University powers,— Queen's College, established by the Church of Scotland in Canada, of whose views of the amended Toronto University Charter I knew nothing; and Victoria College, established by the Wesleyan Methodist Church in Canada,—the Conference of which, at its last Session, had adopted a Resolution expressing its approval of the Christian principles on which the University of Toronto was now established, and its readiness to co-operate with it, so far as related to Victoria College, provided it could be removed to Toronto, by such a disposal of the Buildings and Premises, at Cobourg, as would not involve too great a sacrifice, and would be approved by the Wesleyan Body generally. At Lord Grey's request, I furnished him with a copy of the Resolutions, which had been adopted by the Wesleyan Conference, in respect to the Charter of Toronto University, as amended in 1850, as also a copy of the Act itself, or rather the printed Bill, which had become an Act.

5. Such is the substance of my incidental conversations with Lord Grey on the subject of Toronto University, and such are the circumstances under which they occurred; and during the whole of which conversation, I never thought of the Bishop's application for a Charter. or of Trinity College; and I did not hear one word respecting the one, or the other. Nor had I any idea that Lord Grey, in the enquiries he made of me, had any reference to what might have been stated in Correspondence between the Bishop of Toronto and myself.‡ It appears that Lord Grey had imagined that there were more than two University Colleges in Upper Canada, besides the Toronto University, and that my mention of but two conveyed the idea that

* The Regulations providing for the Religious Instruction of Students in the University of Toronto are printed o pages 294, 295 of the preceding Ninth Volume of this Documentary History.

‡ For a reference to this conversation with Lord Grey, see his Despatch to Lord Elgin, dated the 11th of March, 1851, and printed on page 263 of the Ninth Volume of this Documentary History.

the others had been abandoned. That the error on this point existed in the mind of his Lordship, and was, by mistake, attributed to me, is obvious to every person of common sense acquainted with the subject,—as I could not have been ignorant on a matter so patent to everybody, and could have had no motive, or reason, whatever, under the circumstances, to exaggerate as to the number of University Colleges in Upper Canada, even had I been as capable of doing so as you assume.

6. Lord Grey only alludes to me in reference to the character of Toronto University, and Canadian views entertained, as to the principles, on which it is now incorporated, but not in reference to Trinity College ; nor could any answers, which I made to his Lordship's enquiries, have been referred to in connection with Trinity College, had not the Lord Bishop of Toronto, (as it appears by his now printed Correspondence,) based his application for Trinity College Charter upon the false issue, that the Canadian Government and Legislature had robbed the Church of England and avowed infidelity in Education,—thereby putting it out of the power of the authorities, either in England, or Canada, to accede to his request, without condemning themselves. And I, because I answer questions put to me by Lord Grey, respecting Toronto University alone, —am abused by *The Church* newspaper for meddling with the Bishop and Trinity College !

7. It is not the first time that the Bishop has placed the interests of the Church of England in this Province upon a false issue,—placed its best friends in a false position,—and thereby done more real injury to that Church than the most powerful of her avowed opponents. The Bishop has done the same thing in his last Triennial Charge, (as published in May last,) charging infidelity upon the whole Common School System, which I have endeavored to introduce. To the misrepresentations of that charge, on matters peculiarly relating to my Department, I yet owe a corrective reply. For the Lord Bishop to do his utmost to defame and degrade the Educational interests of the Country, because he is not the Director of them, and to sever the Church of England from them and array it against them, because they are not the exclusive agencies of that Church is, in my opinion, as unpatriotic to Canada, as it is suicidal to the legitimate influence and future prospects of the Church of England in Canada,—a Church whose wellbeing I desire only second to that of the one with which I am more immediately connected.*

8. You have alluded in terms of gratification to the movement now being made by the Wesleyan Body to endow Victoria College; but you represent that movement as one of disapprobation of and hostility against, the Toronto University. In the Official address, expounding that movement, you will find an expressed approval of the Christian principles on which Toronto University is established; and that Address which I believe has been approved by *The Church*, newspaper was suggested by myself, in behalf the objects of which several Members of the Victoria College Senate, all approvers of the Christian principles of the Toronto University amended Charter, subscribed £50 each.†

9. But while I have said thus much, in regard to the Christian principles recognized and avowed in the amended Charter of the Toronto University, by the Supplementary University Act of 1850, I do not wish to convey the idea that I have any unfriendly feeling in regard to the energetic and liberal efforts, which been made to establish Trinity College; nor that it should be denied powers, or privileges, or assistance, which may be enjoyed by the College of any other Religious Persuasion in Upper Canada. Nor do I wish to be considered the apologist of the past, or present, character of the Toronto University. I believe that had the money, which has been expended and wasted in connection with Toronto University,—(that hitherto feeble, but most expensive, Institution), during the last ten years, been expended in aid of several Colleges, four times the number of young men would have been better educated, and ten times the educational and moral benefits would have been conferred upon the people of Upper Canada. But it cannot be forgotten, that, as long as Toronto University was an Appendage and Agent of the Church of England, the Lord Bishop of Toronto and *The Church* newspaper protested against a sixpence of the endowment being given to Victoria, or Queen's, or to any other College in Upper Canada, and advocated the unity of the Endowment as strongly as the authors and advocates of the present amended University Charter,—only that now all Religious Persuasions are placed upon equal footing and the Religious Instruction of their youth equally provided for. But, it appears that the Bishop would now be satisfied with sharing equally with other Denominations, in regard both to the University Endowment and all other civil and Religious rights. Had he avowed and acted upon that doctrine twenty-five years ago,

* As an example of the attitude of Doctor Ryerson to the Church of England in Canada, see Chapter XXXVI of the "*Story of My Life*", published in 1884.

† This Address of the Representatives of the Methodist Church on the "University Question" is printed on pages 151-153 of the Ninth Volume of this Documentary History. See also the Address of the Conference on the same subject further on in this Volume.

it would have been an unspeakable blessing to Canada, religiously, educationally, civilly and socially, and I think an equal blessing to the Church of England in Upper Canada herself. *

10. What the Toronto University may become, or may be made, is problematical. It has given practical and melancholy proof that it is not a large endowment that makes an University worthy of, or adapted to the wants of the Country.† If the expectations of the authors and supporters of the amended Charter of the Toronto University should be disappointed and the University become what you allege it is. "the despised of all Denominations", it will be chiefly, if not exclusively, owing to the spirit which has dictated and which pervades such a communication as was inserted in the last *Church* newspaper and s gned "*A Member of the Senate of the Toronto University*" which clearly emanated from a high Officer in the University,‡ and in which the author makes gratuitons attacks upon his fellow Members and shoots the arrows of dark insinuations against the newly appointed Members of the Senate, not of his own Religious Persuasion, who have much more reason to apprehend hostility from him against their Churches than he has to insinuate hostility on their part to his; and several of whom, I know, including myself, had not the remotest idea of being appointed to the Senate until they were applied to on the part of the Government for their consent to undertake that service, occupying, therefore, a position very different from that of their anonymons assailant, who may have long been thriving upon University abuses, and, (to use his own words,) by "most nefarious proceedings" striving to perpetuate wrongs upon those same Religious Persuasions, whose Representatives he now wantonly insults.

TORONTO, 13th October, 1851. EGERTON RYERSON.

II ERECTION OF TRINITY COLLEGE—"TURNING THE FIRST SOD," AND "LAYING THE CHIEF CORNER STONE," 1851.

The Founding of Trinity College in 1851 was an event of great interest and importance, as it added one more to the three Universities then in successful operation in Upper Canada,—one of which—Toronto University,—as King's College, was also founded by Doctor Strachan nearly ten years before the period at which he, in the case of Trinity College, assisted at the laying of the Corner Stone of King's College, and opened it as a University in the following year. (1843.) The following is a semi-official account of the Ceremony of turning the first sod for the foundation of Trinity College:

On the Twenty-third of January, 1851, the Provisional Council of the proposed "Church University" passed a Resolution to the effect that Mr. Kivas Tully and Messieurs Cumberland and Ridout, should be applied to for designs for the intended Building, the estimated cost not to exceed Eight Thousand pounds, (£8.000=$32.000.) Mr. Tully's design was adopted by the Council, and Tenders were advertized for. On the Thirteenth of March, the Tender of Messieurs Metcalf, Wilson, and Forbes was accepted for the sum of Seven Thousand, eight hundred and forty five pounds, (£7,845 =$31,380,) and orders were given to commence the work forthwith. On Monday, the Seventeenth of March, 1851, the first Sod was turned; At noon Doctor Strachan, the Lord Bishop, accompanied by the Council, of the College, the Architect, and the Contractors, surrounded by those who had assembled on the ground, proceeded to the spot determined upon, when the Bishop thus addressed them;—

1. We are met, according to appointment, to commence this important undertaking,—and it is our intention to confine ourselves strictly to breaking the ground, as we shall soon, if it please God, find á more fitting occasion, when we come to lay the Foundation-stone, for some of those forms and ceremonies, which ancient usage has prescribed and hallowed for such occasions. It is, nevertheless, decent and becoming that we should mark the first beginning in such a manner as to convince our friends, that we are in earnest, and to prove to the careless, or indifferent, that our holy Church possesses vitality, which no earthly power can suppress.

* In dealing with the question of granting legislative aid to Colleges other than the Toronto University, it seems always to be assumed that this aid is sought to be taken from the Endowment of that University, and the facts connected with the history of that Endowment of King's College, the predecessor of the Toronto University, are either overlooked, or ignored. Of the original Imperial Grant of Lands for educational purposes, made in 1797, not one half of these lands was granted to King's College in 1828. The remainder of these lands were retained by the Government until 1829, when 66,000 acres of them was given to Upper Canada College, and the balance was reserved for Grammar Schools, and, as provided in the original Grant, for aid to "other Seminaries of a larger and more comprehensive nature",—such as the Victoria and Queen's Colleges.

† See also reference made by Doctor Ryerson, in a note on page sixteen of the Fourth Volume of this Documentary History, to the case of the failure of the large Connecticut School Fund to secure to that State good and efficeint Schools.

‡ See the Correspondence between the Honourable P.B. De Blaquiére and the Reverend Doctor Beaven on pages 269-271 of the Ninth Volume of this Documentary History.

2. We may seem to those, who look only to earthly and outward appearances, as a feeble band; and, because we have a little or no Endowment, to be in danger of passing away like the Summer cloud; but it is a work which has for its object the glory of God, and the extension of His Kingdom; and, therefore, if we prosecute it in the right spirit, it will obtain the Divine Blessing, and be sure to prosper.

3. We have indeed much already for which to be thankful; the contributions of the Members of the Church, both here and at home in England, have enabled us to contract for a noble Edifice, which will, it is hoped, not only adorn, but become the channel of many blessings to this City and Diocese. Even already, we stand, as to worldly means and appliances, much in advance of the two great Universities in England at their commencement, whose scholars, many years after they begun the business of instruction, were so poor, as Chaucer tells us, as to be compelled to carry their own grist to the mill; and from so small a beginning, what are these Universities now? The most splendid Establishments for Literature and Science in the World, and are justly called the breasts of England; and how have they risen to this eminence?—by untiring diligence and attention to the great objects for which they were instituted,—the training up of the rising generation in virtue and piety, and imbuing their minds with the sacred truths of Christianity in their purest form. The fruits are seen in the generous offerings made, from age to age, by grateful pupils to extend the power and usefulness of these Universities, till they are now the wonder of the World.

4. And why should we not look for like results? Why should we despond in this, which may be termed our "day of small things"? The offerings already received, when our plan was deemed by the cold and thoughtless as more than imaginary, will, we trust, be increased tenfold, now that there can be no longer any doubt of our going forward, and not only this, but our own Alumni will soon arise with their gifts and offerings. They will gather round the sacred Structure, in which they have acquired the most precious treasures of knowledge, sacred and profane; feeling the blessedness of those holy principles by which their lives are directed, and their felicity here and hereafter secured, they will provoke one another to heap benefits upon their Alma Mater, and thus will her power of doing good be increased, and her blessed influence extended through the whole Diocese.

The Bishop then took the Spade from the Architect, and, having filled it with the soil, said, —"We begin this work in the name of The Father, and of The Son, and of The Holy Ghost." He then threw it into the Barrow, which was soon heaped over by the Council, each throwing into it one or more spadesfull; the High Sheriff, F. W. Jarvis of the County volunteering to be his Lordship's barrowman, wheeled it to the place of deposit, amid much cheering.

The Bishop then said:—Before we separate, let me beg of you to lift up your hearts in silent prayer to Almighty God, that all who are employed in erecting this Building, may be preserved from accidents and dangers; and that, when completed, it may ever promote the glory of God, and the welfare of His people.

Thus ended this simple, but yet very interesting, preliminary step towards the erection of Trinity College.

On Wednesday, April the Thirtieth, 1851, the Corner-stone of the Building was laid with all the solemn observances usual on such occasions, and the Ceremonies were especially suitable to this particular occasion. Before one o'clock, the Bishop and a numerous body of the Clergy, amounting to about one hundred, together with the Medical Faculty, the College Council, and others, met at the residence of the Honourable Henry Sherwood, which is immediately opposite St. George's Church, John Street, Toronto, and had been most kindly placed at the disposal of the Incumbent, to be used as a Vestry-room.

At one o'clock, the procession, marshalled by Major George T. Denison, proceeded to St. George's Church. When the Service was ended, the Bishop, the Clergy and the Congregation formed in procession and proceeded thence down John Street and along Queen Street to the Site of the College. On entering the Grounds, the procession, headed by the Bishop, proceeded to the appointed Site, where a large platform had been erected, and which was crowded with Ladies anxious to witness the interesting Ceremony from the commanding position which it gave them.

As the procession slowly approached the spot, the scene was solemn and impressive in the extreme. At the time when the Bishop commenced his Address, many persons were present.

ADDRESS OF DR. STRACHAN, ON LAYING THE FOUNDATION STONE OF TRINITY COLLEGE, 1851.

1. It would not be very easy for me to address you on this occasion, without briefly adverting the fact, that, on the Twenty-third of April, 1842, little more than nine years ago, some of us assisted at the laying of the Foundation Stone, by Sir Charles Bagot, the Chancellor, of the University of King's College, with promising hopes and sincere prayers.

2. The day being exceedingly fine, and the Ceremony was conducted with great solemnity and dignity. It was, perhaps, the most imposing and interesting spectacle that had ever been seen in Upper Canada, and was hailed as the harbinger of many benefits to the Colony.

3. But vain and fleeting are the works and hopes of men, unless the Divine blessing rest upon them. The noble Seminary thus auspiciously commenced in great pomp and splendour, and from which so great results were expected, found itself immediately assailed by the foes of truth, knowledge and order. And after maintaining a feeble and troubled existence for little more than six years it was finally swept away; and so complete was the destruction, that the very name by which it had been honoured was suppressed, as if Religion and Loyalty had deserted the Province.

4. But, forgetting "those things that are behind and reaching forth to those things that are before," let us not be dismayed, but seek, with increasing faith, the Divine aid in this our second and more sanctified undertaking, to raise a Christian Seminary where God's holy name may ever be blessed and praised.

5. To found a common Seat of Learning is a proud object of ambition; but to establish a College devoted to the cause of God and the diffusion of Science, sound Learning, and the true Religion through so vast a region as Upper Canada, is one of those precious distinctions which are seldom attained, and associated in our imaginations, as it must be, with so many gifts and blessings to young and old, it cannot fail to become a source of delightful reflection through life to all of us who now enjoy the privilege of being present on this happy occasion.

6. Feeble we may seem to the world's eye, but what Seminary in the history of Literature can claim an origin so pure and holy? Trinity College is a burst of Christian benevolence, to remedy an intolerable act of injustice, and to prove that all oppression is short-sighted, and sure in God's own time to be overruled for good.

7. This projected Institution is peculiarly the child of the Church; from her it springs, and under her wing it desires to nestle; it will breathe as she breathes, and acquire life and energy from the spiritual nourishment which she is ordained to dispense.

8. So soon as the Buildings are completed, Trinity College will become, in all her proceedings, as strictly collegiate in discipline and character as the circumstances of this new Country will permit; and its Authorities will ever keep in view the glorious models of the Parent State, to which pure Science and the Christian Faith are so much indebted. From them she will borrow a spark of that living flame, by which they have been animated for so many centuries, in order that she may, with God's Blessing, kindle similar inspirations in the Colony. And I trust that many around me will be permitted to see Trinity College taking an honoured place among the more celebrated Schools of Learning, and doing for Canada what Oxford and Cambridge have done for England.

9. Allow me, in conclusion, to congratulate you,—the city of Toronto, and the whole Province,—that God has put it into the hearts of Churchmen, both here and in the Mother Country, to establish this College "on the foundation of the Apostles and Prophets, Jesus Christ Himself being the Chief Corner Stone.

10. It will constitute a great Christian Household, the domestic home of all who resort to it for instruction, framing them in the Christian graces, and in all sound learning, and sanctifying their knowledge, abilities and attainments to the service of God and the welfare of their fellow-men.

11. And can we doubt the result of such teaching, under the blessing of our Lord and Saviour? Has he not made us a little lower than the angels, and promised us "a House not made with hands, eternal in the heavens," and has he not betowed upon us His everlasting Gospel to be our constant guide, our tree of life to light us through this valley of the shadow of Death to a happy immortality?

12. It has ever been the practise of Christian believers, when undertaking any work of importance, to seek for Divine Light and assistance. Let us then, in accordance, with a custom so pious, begin with offering our devout Prayers to Almighty God for His Blessing on this solemn occasion, and for His guidance and support to all those who now or hereafter may be connected with Trinity College, whose living existence this passing hour commences.

The Bishop then offered up this Prayer, which was devoutly responded to by those present.

O Almighty God, with whom was wisdom when Thou didst prepare the Heavens and set a compass upon the face of the depth, look down with favour, we most humbly beseech Thee, on the work which we this day begin.

Mercifully grant unto all who are engaged therein judgment and understanding; that the labour of their hands and fruits of their counsels may tend to Thy glory, the good of Thy Church, and the well-being of the whole Land.

Vouchsafe unto those who shall sojourn within the walls about to rise from this foundation, minds enlightened by Thy heavenly grace, to proceed in all their doings according to Thy will.

Teach by Thy Holy Spirit from on high those who shall here teach ; and cause their instructions to agree with the truth of Thy Word and the Testimony of Thy Church ; that by the might of Thy power, working through the frail instrumentality of men, the Faith once delivered to the Saints may be handed on for ever.

Grant to those who shall here learn, docility and diligence, that they may be disciples indeed, willing from their youth to bear the yoke of Christ, and fitted by a discipline of purity and prayer to discharge the duties of those states of life which Thou hast appointed for men to walk in.

Grant that from these walls may go forth, devoted unto Thee and rightly equipped for their work, Messengers of the Gospel of Peace ; who shall aim, under the commission of their Saviour, to win souls unto Thee ; to train their brethren by the Word and Sacraments, after the pattern of their Lord ; and to bring back those who err and stray into the unity of the faith, and the oneness of the Body of Christ.

Grant that from these walls may go forth Physicians skilled to heal, and enabled, under Thee, to mitigate the woes which sin hath brought upon the earth ; who, in their labour for the health of the body, shall have regard also to the health of the soul, from a lively faith in Thee, the Father of the Spirits of us all.

Grant that from these walls may go forth men, who, while they make the Statutes and judgments of their fellow-men their study, and consult how they may establish Truth and Justice in the State, shall have in their hearts an abiding respect unto Thee, the Lawgiver of the worlds, and to the decrees that shall hereafter decide the eternal condition of quick and dead.

Grant that from these walls may go forth those who, while they engage in the traffic of the earth, and fulfil Thy will in effecting among men the interchange of the wide-spread gifts of Thy bounteous hand, shall know also what is the merchandize of the true riches ; how to increase the gifts with which they have been entrusted to profit withal ; and how to lay up treasures in heaven.

Grant, we beseech Thee, O Lord, to each and all who shall go forth hence to labour in their various vocations among their fellow men, that to intellects accomplished in wisdom and knowledge, they may join souls filled with a true reverence and love towards Thee ; so that, as polished shafts from Thy hand, they may in all things fulfil Thy good pleasure, to the glory of Thy Great Name.

Grant, O Lord, that this Building about to be devoted to Learning and Religion, may proceed, without let, or hinderance, and may be to future generations the fountain, under Thee, of abundant blessings.

Visit with Thy grace, we humbly beseech Thee, those benefactors who have contributed to the furtherance of this good work ; and stir up other hearts to munificence towards the undertaking on which we now enter. Cause many among the brethren to vie in zeal with those who in the times of old have founded and endowed in the land of our fathers the Seats of Learning dedicated to Thee, and to the service of Thy Church.

And grant, O Lord, that we and our descendants to the latest generation, being preserved evermore from the hands of the spoiler, may enjoy these gifts, and pursue our course in confidence and peace.

Hear us, O Almighty God, we humbly beseech Thee, in these our supplications and prayers, for the sake of our only Mediator and Advocate, Jesus Christ ; to whom, with Thee, and the Holy Ghost, the ever adorable Trinity, to whom we dedicate our work, be all honour and glory, for ever and ever. Amen.

A Bottle containing the Coins and Documents intended to be placed under the Foundation Stone, was then handed to the then Bishop by Doctor Burnside.

The Honourable Chief Justice Robinson then read the inscription engraved in Latin on the brass plate, which was then cemented into its place.

Professor Doctor Edward Hodder, read a translation of the inscription, as follows

In the name of the Father, and of the Son, and of the Holy Ghost. Amen.

On the Thirtieth of April, 1851, in the Fourteenth Year of the Reign of Victoria, by the Grace of God, Queen, Defender of the Faith, and while the Right Honourable the Earl of Elgin and Kincardine was Governor-General of British North America, this Foundation Stone of Trinity College, Toronto, an Institution established for the furtherance of the Christian Religion, and all the Liberal Sciences was laid by the Honourable and Right Reverend John Strachan, D.D., LL.D., Bishop of Toronto.

The College, now commenced, is built through the munificence of those who, at his earnest instigation, both in Britain and in this Diocese, gave with willing minds, as to the Lord, gifts of money and lands, for the accomplishment of this object.

To this devoted and persevering Prelate, who, throughout an extended life, labours that the youth of Canada may, at all times, be trained in Christian principles, let posterity render grateful thanks.

With the Bishop, who is deservedly the first President of the College, have been associated the Council of the College.

God grant a prosperous issue to the begun labour ! May He, who is at once the Founder and Foundation-stone of His Church, be ever present with those who shall, within these walls, devote themselves to Christian Learning and the Liberal Sciences.

The Architect then handed the Trowel to the Bishop, and the Stone having been adjusted, the Bishop said :

Our help is in the name of the Lord. ' Answer. Who hath made Heaven and Earth.'

Except the Lord build the house, they labour in vain that build it.

Upon which, the Bishop, having struck the Stone three times with the Mallet, said :

In the name of the Father and of the Son, and of the Holy Ghost. Amen. I lay this Corner Stone of an Edifice to be here erected by the name of Trinity College, to be a place of sound learning and religious Education, in accordance with the principles and usages of the United Church of England and Ireland. Other foundation can no man lay than that which is laid even Jesus Christ, who is God over all, blessed for evermore ; and in whom we have redemption through His blood, even the forgiveness of sins." Amen.

After laying the Corner Stone, Sir Allan Napier McNab addressed the Bishop as follows:

1. It affords me great satisfaction to congratulate you, and, through you, all the Churchmen of your extensive Diocese, upon this auspicious commencement of a work, the completion of which is ardently prayed for by all who desire the dissemination of sound Religious and Secular Education ; combined, as on the very highest considerations they ought to be, in order that all things may work together for the glory of God, and the advancement of Christ's Kingdom on Earth.

2. The realization of these hopes must prove likewise the accomplishment of what a long, active, and useful life among us abundantly show us what great object you have for many long years devoutly and zealously laboured to effect. I trust that the Blessing of God will attend the exertions of yourself and supporters to the end, and that we have here seen laid the foundation of an Instititution that shall extend its blessed influence to the latest prosterity.

3. This is not a time, to review the causes that have led to these renewed efforts on your part, or to recount the exertions and perseverance, through which, (impelled by the highest qualities that dignify and adorn our nature,) you have won the admiration, esteem and gratitude of all who know and appreciate your high merits, in the exalted and sacred office in which it has pleased Providence to place you, for the good of this community, and the welfare of mankind—they have established you in the hearts and affections of us all ; . . .

4. We contemplate the happy issue of the present work, not only in its construction, but still more in its efficient operation, as of vital importance to the prosperity and well being of the Members of our Church in particular, and also of all classes of society in general ; inasmuch as whatever contributes to the one, necessarily proves beneficial to the other.

(*Note.* Other addresses in Latin followed, and the Ceremony was concluded by a Prayer by the Reverend H. J. (afterwards Dean) Grasett and the " Bidding Prayer " by Doctor Bethune, (afterwards the second Bishop of Toronto) and the Benediction by Bishop Strachan). A copy of the "Bidding Prayer " is printed on page 205 of the same Fourth Volume.

IV. THE INAUGURATION AND THE OPENING OF TRINITY COLLEGE, 1852.

Although the record of the Proceedings at the Opening of Trinity College belongs chronologically to the educational records of 1852, yet, in order to facilitate the proper grouping of subjects in this Documentary History, I place the account of that inauguration of the College next after that of the Ceremony of laying the Corner Stone of that Institution, as the two events followed each other at a comparatively short interval.

On Thursday, the Fifteenth day of January, 1852, the Ceremony of opening the First Session of Trinity College took place, under the Presidency of Doctor Strachan, the Founder of the College. In opening the proceedings he delivered the following Address. After refering to the many varied aspects of the question of the founding of the College, Doctor Strachan deals with the more serious and interesting subjects of the good influences of College life on Students, and on what constitutes an enduring foundation for the life and future career of a Christian Gentleman. His references to the Bible and its blessed truths, as forming the true basis of all elementary and Collegiate education are quite in harmony with the opinion on this subject of enlightened Christian Statesmen. The Bishop said :—

1. I feel it impossible to address so respectable an audience on this occasion, auspicious as it is, without experiencing a strange mixture of painful, as well as pleasing, emotions, or, as the ancient Poet has expressed it, " The joy of grief."

2. On laying the Foundation Stone of King's College about ten years ago,* I declared, as I then truly felt, that it was the happiest moment of my life, and that I had been anxiously looking and working for it during more than forty years, as a consummation of the greatest importance, and which, under Divine Providence, was eminently calculated to advance the glory of God and the best interests of man.

3. Again in June, 1843, I was called upon to take a prominent part in the proceedings at the opening of the same Institution for the business of Instruction, and, in my Address,† I remarked that we were assembled to celebrate an event to which many had been looking forward for nearly half a century,—that it was a work of infinite value to the well-being of Canada, and that the proceedings, with which it was attended, would henceforth become a matter of history, while the College itself would shed the most precious blessings on the whole Country.

But, vain are the hopes and labours of frail mortals ; it was not permitted to proceed in its useful labours. For, in a few months, it was ruthlessly assailed, and, although at that time unsuccessfully, its enemies continued their warfare and accomplished its suppression before the termination of its seventh year, just as it began to bear fruit, and win its way into the affections of the people.

4. On the Seventh of February, 1850, or about five weeks after King's College had ceased to exist, I sent a Pastoral Letter to the Clergy and Laity of the Diocese, informing them that we had been deprived of King's College, the gift of our Sovereign, and that an University had been substituted in its stead, with which we could not in any sense, as religious men, co-operate,—that it, therefore, was incumbent on us to sacrifice endowment rather than principle ; and, as it was impossible for us, great as the sacrifice might be, to hold connection with an Institution essentially anti-Christian, though originally bearing the honoured name of its Royal Founder, George IV., and established expressly for Religious purposes, it became a matter of necessity, as well as duty, to establish a University from our private resources, in close connection with the Church to which we had the happiness to belong. To this appeal my people nobly responded, and subscribed in money, lands, and stock in Building Societies, about twenty-five thousand pounds currency (£25,000 = $100,000).‡

5. Yet, great and praise-worthy as this exertion was on the part of the Diocese, we had good reason to expect much more. For widely as the Appeal was circulated, it did not reach many who would have, most willingly, contributed. Some held back on the supposition that the work was far beyond the ability of the Diocese to carry out,—that it might fail after much expense had been incurred,—and they did not feel satisfied to contribute towards a probable loss. Temporary inability, and other causes, prevented many friends to the object from coming forward at that time, but there was throughout one cheering circumstance,—all bade us "God speed."

Encouraged by what was actually done within the Diocese, and fully persuaded that much more would be done when the College was seen in successful operation, I prepared to visit England, being convinced that the cause I had to advocate could not fail to command the sympathy of all who belonged to our Communion, and awaken their best affections in its favour.

6. This step was absolutely necessary, because scarcely one-fifth of the amount subscribed was in money, and which, even if paid up, was altogether insufficient to erect the requisite Buildings, and lay the foundation of anything like an adequate Endowment.

7. On the Thirtieth of April I reached London, and lost no time in addressing Letters to the Archbishops, Bishops, Clergy and Laity, Members of the Church, telling them, that, under the pressure of what I felt to be a great necessity, I had ceased, for a short time, my Pastoral labours in the Diocese of Toronto, to appeal, I hoped not in vain, to their sympathy in behalf of their brethren in Upper Canada. The full explanation of the causes of my visit, my objects and wants, was most favourably received, and munificent donations granted. In this the two great Church Societies and the University of Oxford took the lead. The Society for the Propagation of the Gospel in Foreign Parts voted Two Thousand pounds, (£2,000,) payable by instalments of Four hundred pounds, (£400,) per annum ; and a donation of Seven acres and a half of land within the precincts of the City of Toronto, worth at least as much more. The Society for Promoting Christian Knowledge granted Three Thousand pounds, (£3,000,) ; and the University of Oxford Five hundred pounds, (£500.) The subscriptions from individuals throughout England exceed Four Thousand pounds, (£4,000,) in sums of Tens, Twenties, and Fifties, up to One hundred and four pounds, (£104,) from Liverpool. One generous benefactor deserves particular notice, Charles Hampden Turner, Esquire, F.R.S., Rook's Nest, Park

* See pages 202-209 of the Fourth Volume of this Documentary History.

† Printed on page 277-286 of the same Fourth Volume.

‡ This Pastoral Letter is printed on pages 92-95 of the Ninth Volume of this Documentary History.

Surrey, who has given us the princely gift of Five hundred pounds, (£500.) This Gentleman takes a warm interest in Upper Canada, and is the munificent supporter of all enterprises and schemes that have for their object the spiritual and temporal interests of mankind. *

8. Had I been able to remain six or eight months longer in England, to preach and hold Meetings in the large Towns, and make my object more generally known, I verily believe that I should have realized more than double the amount received,—but it is not too late. A fresh appeal for farther assistance may be now fairly made to our friends in the Diocese, as well as in England, who have not yet given assistance.

9. Nor need we hesitate to lay our case before our Countrymen in the United States, and claim from them their good wishes and substantial aid in building up an Institution, in which they may place full confidence, for the nurture and education of their sons upon the most correct and purest principles;—here they will be surrounded by a population truly English, and all they learn will be founded upon a Religious basis. The same may be said to our fellow-subjects in the West Indies. Their youth will here find a climate exceedingly healthy,—they will, on their arrival, find themselves domesticated in a large family, under a like discipline, as to regularity and order, as distinguished the great households in England a century ago, when prayers were celebrated evening and morning, and all the members were taught, from their earliest infancy, that the present life was only the gateway, or introduction, to a blessed immortality.

10. On my return to the Diocese, on the second of November, 1850. I called as many of our subscribers together as possible, and communicated to them a full account of my journey and the gratifying results, which proved, as might have been anticipated, highly satisfactory to all our friends and benefactors.‡

11. Our first pressing object was to find a suitable Site for the University, and in what part of the Diocese it should be placed. A very kind message was sent from Niagara, offering a splended donation of Fifty acres of land close to the Town, on which to erect the University Buildings. This was a great temptation, for there is not perhaps a more eligible locality for a Seat of Learning in all Upper Canada,—the beauty of the Town and District,—its central position and comparative retirement, were much in its favour. A like offer was made from Cobourg, which also possesses many local advantages, and which had, for many years, been the seat of our Theological Seminary. Intimations were also made from Hamilton of great encouragement, should it be chosen for the seat of the Institution. But, as it could only be placed in one locality, it seemed reasonable that the wishes of the subscribers, so far as it was possible to acertain them, should be carefully weighed. . First, it appeared that the donors in England, though placing full power to determine this and every matter respecting Trinity College, in the hands of the Bishop, expressed a desire that it should be at, or near, the Bishop's See, that it might enjoy the benefit of his advice and superintendence. Moreover Toronto, from its central situation, is more generally convenient for the whole Diocese than any other place, and greater portion of the amount subscribed within the Diocese was contributed by its inhabitants, much of it in the expectation, if not on the condition, that it should be at or near it. These different grounds decided the question in favour of Toronto, and to the general satisfaction, and what was very pleasing, by the different Towns which had made liberal overtures for its presence.

12. The next step was to choose an eligible Site, and after a little search we had the good fortune to secure one of twenty acres, fronting on Queen's Street, and commanding a view of Lake Ontario and Toronto Harbour. It is considered, by every person capable of forming a correct judgement, to be the most beautiful and convenient for the purpose that could have been selected in all the neighbourhood.

13. Having purchased the Site, another question arose, as to building for a few years, which would have been not a little perplexing, had we required merely a Hall, Lecture rooms and Chapel ; but, as our College was to be one of residence, there was no alternative, for we could not even commence till we had suitable accommodation for the Students. Proper Buildings could not be found to lease, and, if they had, we should not only have had their rents to pay, but, in addition, the interest of the money laid out in the purchase of the Site, and which would remain useless until built upon. Our only profiable course, therefore, was to forward the erection of the College Building as quickly as possible.

14. Plans were accordingly advertised for, and contracts entered into for erecting such a portion of the one preferred as our funds would enable us to meet, postponing the remainder till our increased numbers and resources made it convenient to complete the whole.

15. Thus it appears, that, in all proceedings, we have consulted, in the most courteous and liberal manner, the feelings and wishes and opinions of our benefactors, in as far as practicable, and the best proof of it is, that on all sides we meet with their cordial approbation.

* For fuller particulars of this Visit of Doctor Strachan to England, see Chapters V, VI and XXIII of the Ninth Volume of this Documentary History.

‡ *Ibid.* pages 113, 114.

16. And now that we are assembled in a large and finished portion of this splendid structure, which is allowed by all to be an ornament to the Capital and creditable to the Diocese, we may honestly congratulate ourselves and one another on the great and rapid progress which we have made in our undertaking,—and lift up our hearts in thankfulness and prayer to Almighty God that as He has so far blessed our endeavours, He will continue to bless them to the end.

17. Some of our supporters, living at a distance, may, no doubt, have wished to be with us in all our steps of progress, and we should have cordially hailed their presence and profited by their counsel, but this could not be. They are several hundred in number, scattered over all England and Upper Canada ; and, as is usual in all such cases, the burthen and responsibility of carrying out their views were, of necessity, thrown upon those who were near enough to make their attendance not particularly inconvenient. All has been publicly, and it is hoped, well done. The Minutes of proceeding have at all times been open to subscribers, half the Council was named by them, and the other half by the Bishop, in his own behalf and the subscribers in England, who honour him with their entire confidence.

18. While we were actively employed in preparing for the opening of Trinity College and the commencement of instruction, a Committee of four of the most eminent Clergymen in London were prevailed upon, at the Bishop's request, to undertake the selection of the Gentlemen who were more especially to preside over, and conduct the Institution. After much trouble and many disappointments, this Committee have discharged their onerous, but most important, duty in a manner highly creditable to themselves, and, it is believed, to the great benefit of the Institution. The Provost, who is also Professor of Divinity and Head of the College, the Professors of Classical Literature and of Mathematics, are now present and prepared to begin the discharge of their respective duties. They bring with them the highest testimonials, and reputations of which we may be proud, and which cannot fail of calling our infant Institution into speedy notice ; but I dare not, in their presence, proceed any farther on this part of my subject.

19. Suffice it to say, that we shall commence the business of instruction in greater efficiency than has yet been attempted in any of the British American Colonies, under five departments—Theology, Classical Literature, the Mathematical Sciences, the Faculty of Law, and the Faculty of Medicine, including Chemistry. All our arrangements are of the most liberal and satisfactory kind. The care bestowed in making our various appointments, whilst proving our great anxiety for the success of the College, offers a sure pledge of future watchfulness over its interests. Cherishing the hope of conferring a lasting benefit upon the Church and the Country, we shall proceed with double confidence in every department ; for, though we make Religion the basis of all our teaching, there will be no neglect of any of those secular branches of knowledge which are embraced in the most extensive and approved Systems of Academical Education.

20. Having thus brought the history of Trinity College down to the present hour, I will now, proceed to make a few general remarks on the beneficial results which we anticipate from the discipline, training and instruction which are to be employed in the College.

21. This is, perhaps, the more necessary, because the larger portion of our young men will come to us from a distance, and it will gladden the hearts of their parents to know that, though not immediately under their eye, everything will be done to supply the place of paternal counsel and maternal tenderness. As there is no system of education to be compared with that which is carried on at the domestic fireside, so that which, in advanced years, comes nearest to it, is unquestionably the next best.

Continuance of the Home Life of Students in this Institution.

22. Now, one of our principal objects in this Institution will be to bring back to the hearts and affections of our youth the fresh and innocent impressions of early infancy. With what deep emotions do we find the best and greatest of men recalling, in after life, the blessed influences which they imbibed under the parental roof, —the holy truths communicated and the first faint accents of prayer, which a pious and tender mother whispered in their ears, invoking the protection of their God and Saviour before she kissed them and consigned them to their night's repose. On such sweet and pure recollections they delight to dwell, for at home all our best and holliest charities and affections begin, and from this centre they extend through an ever widening circle. Our desire then is to build upon this holy foundation, to form ourselves in as far as possible, into a large Household, and to keep as near as may be practicable to the order and economy of a well regulated family. There will be daily and hourly intercourse between the youth and their Instructors,—reverence for superior age and attainments, and a prompt obedience to all their reasonable commands.

23. There will also be among the young men themselves an affectionate brotherhood, confidential and salutary companionship, noble resolutions, aspiring hopes, useful conversation and a

friendly intimacy, on terms and with an intensity which nothing but a College life will admit. But, were they scattered about and living here and there in lodgings, these advantages, great and precious as they are, would be altogether lost.

Nature of the Discipline to be adopted in the College.*

24. In regard to discipline we can not surely be required, in 1852, to shew that it is unnecessary,—on the contrary, the experience of all ages and countries points out the advantage of subjecting the passionate and enthusiastic period of youth to salutary control, as well as the great difficulty of rendering it effectual. This difficulty it will be our endeavour to surmount,—not that we hope entirely to reduce to order those who are determined to be vicious, for, to a certain degree, all plans of restraint, however judiciously carried out, will be found deficient,—yet a steady and just system of control, firmly but affectionately exercised, will do much. Even residence alone, will be found highly conducive to the encouragement and preservation of correct moral conduct.

25. It removes many from temptation, who are weak, or timid, to resist—It keeps others from vicious practices who were at first open to no higher motives ;— and, even where offences may have been committed, it prevents the habits of vice by the watchful supervision employed,—the certainty that those who persist in evil courses will at length be discovered, condemned, disgraced and expelled. Moveover, it sets up and establishes, if not always the highest, yet a respectable, standard of morals and behaviour, which will become purer and more elevated as they advance in life.

Desirableness of this necessary System of Salutary Vigilance and Control.

26. Let it be added, that the young gentlemen who come here, and who may, in future years, become leading men in society, as Clergymen, Lawyers, Physicians, Statesmen, Merchants, and Landed Proprietors, etcetera, are to be subjected to this salutary vigilance and control, not in boyhood, but from sixteen to twenty-two, or during the whole of their residence at College. To be thus under a well regulated restraint for several years, during the most critical period of their lives, is an advantage of great value, and gives the surest guarantee which is possible to obtain that they will leave the Institution with characters and attainments honourable to themselves and full of promise to their Country.

27. On the other hand, we may rest assured, that even to young men naturally well disposed, the effect will not only be calamitous, but, in many instances, blast their prospects in life, if they be cast loose, as it were, in a large city like this, without a friend, or counsellor, whom they revere, without any moral discipline, left to choose their abode, and their hours and companions as they please,—to attend, or not to attend, the Worship of God, and fall a prey to every corruption. Doubtless in some cases, under all these disadvantages, early impressions of Religion, through God's grace, may preserve them from evil, and bring them out of the fiery trial, corrected, strengthened and improved. But is this the natural result that we are entitled to expect from the total absence of vigilant supervision, discipline and control ?

28. It would, therefore, seem that nothing is more likely to benefit Students than to afford them an opportunity of living together in society —of which the regular attendance upon religious ordinances, the observance of correct and gentlemanly habits, and obedience to a wholesome restraint, would form prominent features. Thence we infer that, without residence within the College, the full benefit of collegiate life and education cannot be obtained.

29. The facts of attending Daily Service in the Chapel, morning and evening,—listening to the religious Lectures,—dining together in the Hall,—conversations on their progress in their studies,—cheerfully conforming to the rules of order and regularity prescribed, will seldom fail to produce good habits ; and as we are the children of habit, we may, by God's help, gain those that are good more easily than the wicked learn such as are evil.

What the Value is of a System of Education, Based upon Religion, Illustrated.

30. When we speak of education based on religion we mean, by religion, the Gospel of the Lord Jesus Christ, and that instruction in this, the most important of all knowledge, shall not be confined to Public Worship, but shall enter largely into the daily studies and training of every department of the College. Thus the Students in the Arts and Sciences, as well as in

* The remarkable clearness and precision with which Doctor Strachan here laid down the rules of the deciplinary measures which were to be adopted in the "Household" of Trinity College commend themselves as most desirable and judicious in all seats of learning.

Theology, are required to attend Lectures on the Holy Scriptures, and the doctrines and duties of Christianity, in conformity with the teaching of the Church of England, several times a week, and be, from time to time, examined on what they have heard and learned.

31. And it will be well for Students who are attached to the Law and Medical departments, though not required to reside within the walls of the College, to attend the Religious Instruction thus afforded them as often as possible—for such instruction is necessary to all men, to sanctify their thoughts and actions, and qualify them for a higher state of existence.

32. For the embodiment of the doctrines of Holy Scripture, as they have been universally received in all ages by the Catholic Church, and their adaptation to Public Worship and teaching, we point to the Book of Common Prayer as our guide,—that is the whole Prayer Book,—the Creeds—the Catechism,—Articles, etcetera,—but in doing this, the Church of England neither supersedes the supreme authority of the Holy Scriptures, nor adds to them, for they contain "all things necessary to salvation"; she merely seeks, in the most approved and certain manner, to lead us to the right understanding of the Christian Faith. Hence we find the doctrines taught by the Bible expressed, in nearly the same words in the Prayer Book, and feel assured that we are in possession of the truth. In no branch of the Catholic Church are the Scriptures so extensively used in the Public Services as in ours. We hold the Book of Revelation in special reverence; and no person can attend on the ministration of our Church, for any length of time, without becoming intimately acquainted with its contents.

The Bible as the Most Precious Guide to Spiritual Life.

33. Associated with the Book of Common Prayer, the Bible, as has been beautifully said, fits every fold of the human heart, and is felt to be God's Book. It is also felt to be man's Book, because it satisfies all our thoughts and feelings, and leads us willingly to receive it as divinely authorized, and the scheme of human and divine things which it presents as essentially true.

34. How comes it then, that this, the most precious of all Books,—the Rule of Faith,—the Light that guides to Eternal Life, and which, until lately, was revered by all professing Christians, is now excluded from our Schools and Plans of Education, or only doled out "in shreds and patches," and even these deprived of all vitality by the divorce of the doctrines,—the sum and substance of Revelation?* We answer that it is a fearful sign of the times, and of the prevalence of infidelity. It is true that some few of what are called ths good and wise of this world are not unfavourable to this proceeding, because they are labouring under a delusion, and perceive not the hidden purpose of the Man of Sin to deprave the heart,—corrupt the moral taste,—and keep Religion and the Holy Scriptures constantly out of view. And yet, no man can open the Bible with a sincere desire to find it true, without being convinced that it is a revelation from God. Does he look for a ground of veneration,—he finds it in an antiquity unrivalled. Does he search for evidences of its truth,—he meets them in the testimony of miracles and prophecy,—in the ministry of men and angels,—yea, even in "God manifest in the Flesh, blessed for ever more." Does he ask for its authority?—it speaks from heaven in vision,—in prophecy, directed by the Creator of all things, and "the giver of every good and perfect gift." In regard to its truths, we find them lovely, sublime and holy,—as God is holy. Are we anxious to know what benefits it offers?—all who read it will reply with one voice, that humility, resignation, purity, order and peace—faith, hope, charity, are its blessings upon earth.†

Appeal to restore the Bible to its rightful place in Education.

35. Now, if we are really sincere in our Christian profession, we ought to exert ourselves to the utmost of our power,—nay at the hazard of our lives.—to remove this profanation and restore the Bible to its true position in education from the first School to the highest Seat of Learning. But, if we stand aloof and surrender our children to a system of instruction which not only excludes the Book of Life, but places it under a ban, and permit them to be fed with the husks, instead of the bread of Heaven, we are guilty of a serious offence before God and expose ourselves to his just displeasure.

36. In Trinity College I trust that the Bible will ever occupy its true place, as containing the whole revelation of God, the source of all our hopes, and the safe foundation of all our teaching.

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* For the Bishop's utterances on this subject, and for the Proceedings of the Synod of the Church of England in Upper Canada on this Question, in 1851, see a succeeding Chapter of this Volume. No Synod was held in 1852.

† The Bishop is here very strong in the expression of his views on the great value of Bible Truths being made the basis of all schemes of Education. His tribute to the "Great Book of Life" is very beautiful indeed.

ADDRESS TO THE NEWLY ENROLLED STUDENTS OF TRINITY COLLEGE.

37. In turning to you, my young friends, who are now about to commence your studies in this College, . . . and it I trust, I shall have many opportunities of conferring with you on your duties, hopes and prospects. Suffer me to remind you that in this College you will enjoy every facility and incentive to active exertion which you can desire,—and do not forget that the spirit of the times in which we live has pronounced knowledge, power,—and ignorance, degradation. Nor can the youngest among you fail to perceive that he who wastes in idleness the opportunities of early life, will lose caste in after years, and fall back from the honourable companionship of his former associates, and from the station in society which he might have claimed. Above all, whether you pursue your studies with the view of advancing in the several Professions to which you destined, or merely for the cultivation of your minds, never omit to improve the means of regulating your moral conduct and forming your hearts in truth and rightousness. Hold fast the conviction that you are following the alloted path of duty, under the guidance and protection of One, with whom is the result of all your labours, and under a deep responsibility to One, "with whom is no variableness neither shadow of turning."

38. To you whose destination is the sacred Ministry, I would say ; To what nobler aim can you dedicate your faculties and acquirements than to vindicate the great principles of our common faith, and defend them from the assaults of infidelity. Be not content with mediocrity ;—aspire to that eminence which has been attained by the great preachers of other ages, the honoured champions of the Protestant Faith.

Sir John Beverley Robinson, The Chief Justice, spoke as follows ;—*

You have, my Lord, from the fulness of your heart, addressd this Assembly, on an occasion, in which you may be supposed to feel a stronger personal interest than in any other public event of your life.

From Doctor Bethune, the Venerable Archdeacon of York, and from the Reverend George Whittaker the Provost, we shall hear with pleasure the observations suggested to them by a day so full of encouraging hopes for the Church of England [in Upper Canada.] and for this Country ; and I trust I shall not be thought to be assuming a part in this gratifying Ceremony which does not properly belong to me, if I venture, on behalf of a large body of my fellow Churchmen in Upper Canada, to say some few things which I believe they would desire to have said, in connection with the scene before us.

1. And first : I am persuaded that I speak what is uppermost in the minds of all who are around me, when I assure your Lordship of our cordial sympathy with those feelings which must possess your mind when you look upon the Building, in which we are assembled, and consider the occasion which has called us together within its walls.

2. It is but a few short months since we saw the close of an anxious and painful contest, of which I will only say that I believe that it will some day be acknowledged that it would have been no less for the advantage than the honour of this Province if it had had a different termination. Many who, under the same circumstances, would have felt not less keenly than yourself the disappointment of long cherished hopes, would have thought themselves well justified if they had then given way to despondency ; and they would probably have left to another generation the seemingly hopeless task of endeavoring to procure for the Members of our Church in Upper Canada the means of receiving a collegiate education, in halls sanctified by the ministrations of her worship, and within which her faith should be acknowledged, and her doctrines inculcated.

3. It was more consistent with your own character, as exemplified in a long and most useful life, to see, in the event I have alluded to, no excuse for despondency, but rather a call for immediate and more strenuous exertion ; and so promptly, and with such effect, have your efforts been made, that at this very moment we are on the point of reaping their fruits.

4. It has been long ago said, in a noble spirit of philanthropy, that it ought to be the aim of every man, while passing through life, to leave behind him some enduring proof that he has not lived in vain ; some useful monument of his labours, by which his name may be favourably known in future generations. We thankfully acknowledge that your Lordship, standing under the roof of Trinity College, and in the presence of its duly appointed Professors, has fully acquitted yourself of this debt to posterity, while it is, at the same time, our peculiar advantage to know that as failures have not deterred, so success will not slacken, your services in this good cause. There is no one, we are convinced, who can be so influential as yourself in what-

* In addition to a reference to the circumstances which led to the establishment of Trinity College, the Chief Justice also addresses salutary counsels to the matriculated students. He was afterwards the first Chancellor of Trinity College University.

ever remains to be done for placing this Institution on a secure and adequate foundation ; nor is there one, of whom all of the friends of the Church can say, with so much reason, that they are sure his utmost exertions will, to his latest moment, be devoted to its service.

5. Our prayer is, that it may be permitted to your Lordship to witness, for many years to come, the growing usefulness of this Seat of Learning ; and to assist with your countenance and advice those who have been selected to lay the foundation of its system of instruction. To these Gentlemen we can readily believe that this day has been one of anxious interest ; for they cannot but feel that our chief dependance is on them, for the success of what has been undertaken in so hopeful a spirit ; while on that success must again, in a great measure, depend the satisfaction and comfort which are to attend them through the remainder of their lives.

6. We may be assured that those friends of your Lordship, who kindly undertook, in England, the very delicate and difficult task of selecting our first Professors, proceeded under deep and anxious sense of the responsibility which attended it ; and that they were most solicitous to acquit themselves faithfully of the trust. As one of the College Council, appointed under the Statute, I may be permitted to say that we acknowledge ourselves as under a great obligation to them for the successful manner in which they appear to have fulfilled it.

7. Of the higher qualities necessary for the discharge of such duties as are to be performed here, I do not take upon myself to judge but there are others of which I can form an opinion, and which are so far essential, that there could be no hope of success without them. Speaking in reference to these, which will be understood to include disposition, judgment, and discretion, I have sincere pleasure in stating my conviction that the learned Professors, whose duties in the Institution are to begin this day, will be found possessed of excellent qualifications for the charge they have undertaken.

8. They are, I believe, as fully satisfied as we can be, that in those who are relied upon for preparing the minds and dispositions of youth for the business and duties of life, moderate exertion would be no more suited to this time and Country than moderate attainments ; and, on the other hand, it will be satisfactory to them to feel assured, as they doubtless may, that they can in no other way so strongly recommend themselves to the friendship and confidence of the Members of the Church of England in Upper Canada, as by bringing up the youth committed to their charge, to be zealous, faithful, and undoubting Members of their Church, and firm and consistent supporters of her rights,—loyal subjects of their Queen, lovers of order, cheerfully, and from principle, obeying the constituted authorities, and the laws ; and just and kind in all their intercourse with their fellow subjects, of whatever class,—religious, or political.

9. And it cannot but be most satisfactory to these Reverend Professors to reflect that, not distracted, or checked, by considerations of political expediency, they will be under no obligation to withhold from God any portion of what they believe to be his true and reasonable service, from deference to the dissensions, jealousies, or prejudices, of men, but can teach sincerely, and without reserve, as they know they will be expected to do, "all things which our Church instructs" us a Christian ought to know and believe to his soul's health.

Personal Counsels to the Matriculated Students of Trinity College.

10. I do not for a moment imagine it to be any part of my province to offer counsel to our young friends who have just matriculated in Trinity College. They will have better and abler instructors. But, as it does sometimes happen, that advice is more kindly received when it does not come attended with authority, I will venture, in a few words, to express my earnest hope that the young gentleman who will be sent here to receive the inestimable advantage of a sound Religious Education, may, at all times, so conduct themselves as to prove to their Instructors that, in regard to their disposition, deportment, and moral conduct,, the youth of Upper Canada stand in no disadvantageous contrast with the youth of other Countries, as, it is admitted, they do not in point of natural endowments.

11. And, in particular, I trust that they will bear constantly in mind of what consequence it is that they should be careful no less for the sake of the College than for their own sakes, to repress all disposition to insubordination, to vicious indulgencies, or degrading habits, convinced, as they must be, that, while, these cannot fail to bring discredit on themselves, and the most bitter disappointment to their parents and friends, they must also prove injurious to the reputation of this College, and, in a great measure, frustrate the benevolent intentions of its Founders.

12. It may be admitted to be true that, in the course of the liberal studies to which they will be invited within these walls, they will find some instances, (though they may be few in proportion,) of men in whom the light of genius will shine so brightly as to be seen, though with greatly diminished lustre, through the unlovely mists which their vices and follies throw around them ; but they will also find that those who, by common consent, are spoken of as

"lights of the world," and have been remembered from age to age as the benefactors of mankind, were men to whom the restraints of early discipline were never irksome, – who had no youthful excesses to repent of, or youthful extravagances to deplore, but who left the seats of learning, as they had left the parental roof, with minds uncontaminated and characters unspotted. How enviable the lives of such men, who, haunted by no reproaches for time wasted, or energies abused, or faculties perverted, can look back with grateful and affectionate rememberance on the years spent in their College, as the period when the foundation was laid of an honourable career in life, and of those Christian dispositions and principles which can best afford to them a happy immortality, and best prepared them for its enjoyment.

The Conditions and Prospects of this, the Church University of Upper Canada.

13. I have yet something to add, with your Lordship's permission, upon the condition and prospects of this Institution, not however descending to details, for which this would not be a fitting occasion. It must have been evident to all, who have duly reflected upon it, that the most formidable difficulty attending its establishment is the difficulty of proceeding gradually in such a design, on account of the necessity that exists for making the system of instruction sufficiently comprehensive from the first. Whatever preference parents might feel for the sound principles on which it is founded, it could not be expected that, in order to sustain it, they would consent to place their sons under present disadvantages, which could never afterwards be repaired. An imperfect system of education would scarcely be accepted at first, and would not be tolerated long. When we look around us, we see that, in all that regards Public Instruction, the progress is rapidly onward.

Late Legislative Efforts to improve our Common and Grammar Schools.

14. The great effort which our Legislature has of late years made to improve and extend the System of Common School Education, is a highly honourable distinction of the present time. The revenue raised expressely for that object—Ten thousand pounds per Annum for both Provinces—is large in proportion to the population of the Provinces ; and the System of Instruction, which it supports is conducted with acknowledged ability and zeal. The many Grammar Schools, besides, which are being established throughout this portion of Canada, cannot but assist greatly in raising the standard of intellectual attainments throughout all classes of the community. It must follow, as a consequence, that those who are to fill the learned Professions, or who are likely, from their position, or property, to aspire to a lead in public life, will require superior qualifications. If they are to be eminent, it must be above those who will stand upon a higher level than the great bulk of the people could before attain to.

The Present Age demands a high Standard of Attainment in Knowledge.

15. There seems then to be a strong necessity for commencing at and upon such a scale as shall be reasonably suited to the requirements of an age remarkable for its rapid advancement, and wonderful discoveries in the Arts and Science, and for the practical adaptation of those discoveries to the useful purposes of life. And besides, the pursuits of Commerce have become of such increased importance, its interests so varied, its arrangements so multiplied and complicated, and the competition they give rise to so keen and so incessant, that not a quicker application of the faculties, but a much wider range of knowledge, has become indispensable for those who are engaged in the active business of life.

16. The Professions demand higher qualifications. Wholly new departments of Science and Art have been created ; old errors have been exploded, new processes and combinations adopted ; what a few years ago were subjects of speculation and cautious experiment have become established facts, and engage attention and claim observance in the current transactions of the day.

Members of the Church of England in this Province cannot be silent Spectators of Current Movements in it.

17. The Members of the Church of England, cannot, if they would, withdraw, for the sake of Religious harmony and peace, into a sequestered haven, and let the great current of human affairs roll by them ; they must, like others, adventure upon the waters, prepared to bear their parts, with the best equipments they can provide,—studious above all things "not to make shipwreck of their faith," and, therefore, careful to take with them the chart which is to direct their course.

HISTORICAL COLLECTION

18. Relying upon the blessing of Providence in so good a cause, the Council of the College has concurred with the Bishop in going to the limit of their means in appointing the scale on which the College is to commence its operations ; and they feel it to be their peculiar good fortune that the Faculties of Medicine and Law, for which they would otherwise have been at present unable to provide, will at once be placed on a highly efficient footing by the zealous services of Gentlemen whose experience and talents are most favourably known. To sustain the College in this state, and gradually to increase its efficiency, will require a hearty and very general co-operation from the Members of the Church. And why should not this be looked for ?

19. We ought, perhaps to congratulate ourselves that the course of events, inauspicious as it has seemed to be to the United Church of England and Ireland in this Province, has at least this effect, that it has led to the establishment of this College, for the education of her sons in perfect, and unreserved communion with her faith,—standing, in that respect, on a footing more entirely satisfactory than King's College did, even under its original Charter of 1827. That this principle of avowed and unreserved connection is that on which such institutions can be conducted with the best prospect of harmony and efficiency, seems to be a truth as clearly acknowledged and acted upon by the other large Religious Communities into which the population of this Province is divided as by us ; and surely it would ill become the Church of England in Upper Canada to be less earnest in preserving the integrity of her doctrine, and the purity of her worship.

20. Ours is no new faith. It is not from the Reformation that the Church of England dates her existance. We are not separated from other Christian Communities, in consequence of any recent adoption on our part of a doubtful interpretation of some text of Scripture, or any modern scruple in regard to forms. Nothing else that we most fondly venerate,—not the glorious flag of England, nor the great Charter of our liberties in the olden time, has, from its antiquity, so strong a claim to our devotion as our Church. It is the Church which, from age to age, the Sovereign has sworn to support ; centuries have passed since holy martyrs have perished at the stake, rather than deny her doctrines : and the soil of England is allowed by the dust of countless worthies who have sunk to their rest professing her creed, and invoking blessings on her labours, after lives illustrated by piety and learning, and devoted in the purest spirit to the welfare of mankind.

21. May the honour be conceded to Trinity College, in the progress of time, of having produced men who, by their learning and virtues, may establish as strong a claim to the grateful admiration of posterity.

V. MISCELLANEOUS PAPERS RELATING TO TRINITY COLLEGE.

I. Notice to intending Students of Trinity College, 1851.

Previous to the opening of Trinity College the following notice to Grammar Schools and to intending Students was issued :—

Arrangments having now been made to open "Trinity College -Church University"—for the business of instruction, on the first of October next, information is hereby given to all whom it may concern that Grammar Schools in any part of Upper Canada will be received into union with the College, upon application to the Council.

Testimonials will be required to afford evidence that provision is made in the Regulations of such Schools for the systematic instruction of the Scholars in the doctrines and duties of Christianity, as taught by the United Church of England and Ireland, and also that the Head Master and regular Assistants are Members of that Church.

2. Pupils educated in the Grammar Schools "in union" with Trinity College will become entitled to certain privileges, not conferred upon these from other Schools, such as becoming Associates of the College in shorter time, etcetera.

3. An Annual Prize will also be given by the Council of Trinity College to the best Pupil from each Grammar, or other, School.

Toronto, 26th February, 1851. Thomas Champion, Secretary.

2. The Church of England Theological Seminary at Cobourg Transferred to Trinity College.

In his Address, in April, 1851, to the Clergy and Laity of the Diocese of Toronto by the Bishop, he thus referred to the establishment in 1842 of the

Church of England Theological Seminary at Cobourg and its transferrence to Trinity College, Toronto, in 1851. He said:—

1. You are aware that our Theological Seminary at Cobourg, (which has been conducted with so much ability and has been of so great benefit to the Church by the great number of zealous and active Clergyman which it has furnished,) was intended from the first to be only temporary.

1. But so long as King's College existed and enjoyed a Religious Character, and had not only a Professor of Divinity to prepare our youth, inclined to the Church for Holy Orders, but also to conduct regular service evening and morning and on Sundays and Holidays,—there was no urgent necessity for making any alterations in its constitution, or efficiency.

3. But when the Legislature of this Colony passed an Act in 1849, suppressing King's College, and excluding from the new University which it established all Religious Instruction, according to any form of doctrine; prohibiting any form of Prayer and every act of Public Worship;* and, in a measure, disqualifying any of the Under-graduates in Holy Orders from appointment to the Senate, the time for remodelling the Cobourg Institution seemed to have arrived.

4. The Members of the Church thus deprived of a University, with which they could, in any sense, as Religious men, co-operate, felt it was their duty to sacrifice Endowment rather than principles, and that it was impossible for them, great as the sacrifice was, to hold connection with an Institution, now essentialy anti-Christian, though originally bearing the revered name of the Sovereign of the Empire, and expressly established for Religious purposes.

5. They determined, therefore, to use their utmost efforts to establish a University in direct connection with the Church of England in Upper Canada, from their private means, and which should recognize the principles of Christianty as the basis of education.

6. An appeal was first made to the clerical and lay members of the Church of the Diocese, which was nobly answered, by contributions in land and money amounting to the value of something more than Twenty-five Thousand pounds, (£25,000=$100,000).†

7. Encouraged by this generous liberality, which proved that the Church of England in this Diocese was wholly with me, I proceeded to England and renewed my appeal to our brethren, the Members of the Mother Church there; and they, applauding the object and confiding in the faith, and sincerity of our supporters here, gave largely of their bounty, the two great Church Societies and the University of Oxford taking the lead in this work of Christian love.‡

8. Since my return to the Diocese, a temporary College Council has been organized, a Site has been purchased for the proposed College, which is to be called "Trinity College", and contracts entered into for the erections of the Buildings. The Institution is intended for the whole Diocese; and, in case of division, it is proposed to give the new Bishop, or Bishops, the same authority and interest in its proceedings as the Bishop of Toronto.

9. The position chosen as a Site is most beautiful; and the College, when completed, will present a striking object and a great ornament to the rising City.

3. Transferrence of the Church of England Theological Library from the University of Toronto to Trinity College.

The Society for Promoting Christian Knowledge in London having decided to transfer to Trinity College the Library of Theological and other Books which it had previously granted to King's College, the following Correspondence took place on the subject between Doctor Strachan and the Authorities of the University of Toronto:—

1. From Doctor Strachan to the President of the Toronto University.

I enclose an Order from the Society for Promoting Christian Knowledge respecting the Theological Library—sheet documents, that the books may be placed in my hands—

Will you have the goodness to inform me when it will be convenient to you, for me to send for them.

Toronto, January 6th, 1852. John Toronto.

* After the passage of this Supplementary University Act of 1850, Doctor Strachan modified this expression of his opinion in regard to the Christian character of the University of Toronto. See page 115.

† See page 116 of the Ninth Volume of this Documentary History. ‡ *Ibid* page 114.

ENCLOSURE: LETTER FROM THE CHRISTIAN KNOWLEDGE SOCIETY TO THE AUTHORITIES OF THE TORONTO UNIVERSITY.

I beg leave to inform you, that the attention of the Society for Promoting Christian Knowledge, has been called to the terms of the Eighty first Section of "An Act to Amend the Charter of the University at Toronto," (12th Victoria, Chapter LXXXII.); such a Section providing for the transfer of certain Books granted some years since by this Society, to King's College, and stating that, upon application from the Society, by their proper Officer, to be made to you at any time before the year 1855, requesting that such Books may be returned to them, or otherwise disposed of, as they may appoint, it shall be lawful for you to deliver over the same, according to such request.

I am now instructed by the Standing Committee of the Society to request that, in accordance with this Section of the Act named, you will have the goodness to place the said Books in the hands of the Lord Bishop of Toronto, whose receipt for the same will be sufficient.

LONDON, July 17th, 1850. THOMAS BOYLES MURRAY, Secretary.

2. LETTER FROM THE PRESIDENT OF TORONTO UNIVERSITY TO DOCTOR STRACHAN.

I have the honour to acquaint you, that I have instructed the Assistant Librarian on duty to hand over to the Endowment Board of the University the Books presented to the University of King's College by the Society for Promoting Christian Knowledge.

Herewith I enclose a copy of a Resolution passed by the Senate of the University, relative thereto, and the application referred to in that Resolution.

TORONTO, February 9th, 1852. JOHN MCCAUL.

ENCLOSURE: EXTRACT FROM THE MINUTES OF THE TORONTO UNIVERSITY SENATE.

Resolved, That the President of the University of Toronto, as Librarian, be authorized to hand over to the Endowment Board the Books formerly presented as a gift to the University of King's College by the Society for Promoting Christian Knowledge, in London, with a view to their being delivered up to the applicant, who may be entitled to receive the same, under Section Eighty one of the Act: 12th Victoria, Chapter 82.

3. LETTER FROM DOCTOR STRACHAN TO THE PRESIDENT OF TORONTO UNIVERSITY.

1. I have the honour to acknowledge your Letter of yesterday's date, enclosing a Minute of the Senate of the University of Toronto of the Ninth instant, on the subject of delivering up to me the Books formerly presented by the Society for Promoting Christian Knowledge, London, as a gift to King's College.

2. I shall feel it my duty to attend at the Library of the University of Toronto on Thursday, at noon, the Twelfth instant, to receive the Books, on the terms which the Minute points out.

3. As it cannot be our desire to retain any Books, but our own,—such as may be found on opening the cases to belong to the University of Toronto will be returned. But I fear the difficulty is more likely to be on the other side, for many Religious and secular Books were, from time to time, sent by friends of our Church as gifts to the Theological Library, that have no direction, or mark, by which they can be discovered, and which, on that account, the Endowment Board may not think itself authorized to give up.

TORONTO, February 11th, 1852. JOHN TORONTO.

III. THE UNIVERSITY OF TORONTO.

1. THE UNIVERSITY BILL OF THE HONOURABLE HENRY SHERWOOD, 1851.

In order to inform the public of the nature of the University Bill, which the Honourable Henry Sherwood intended to bring before the House of Assembly, he wrote to the *British Colonist* newspaper the following Letter.

In that Letter he fully explains the purpose and object of his Bill. The Bill was read a first time in the House of Assembly, but it did not reach the second stage in its progress, as the order for its second reading was discharged, and the Bill itself was withdrawn.

I give this Letter in its entirety, as it contains a clear exposition of the "London University Plan," which Mr. Sherwood proposed in his Bill as a substitute for the scheme of the Toronto University, which is embodied in the Baldwin University Bills of 1849 and 1850.

The full text of Mr. Sherwood's original Bill will be found on pages 221-226 of the Ninth Volume of this Documentary History. His Letter was as follows:

I beg to bring under the notice of the public a proposition I intend to bring before Parliament, having for its object a change in the constitution of the University of Toronto by means of which I think great public advantage will be experienced; and, I trust, that what I propose will be fully and freely discussed upon its merits, without personalities of any kind whatever.

2. The University of Toronto, as at present constituted, I really and sincerely believe will never answer the objects contemplated by the Act under which its proceedings are now being carried on. Organized as it is, the Institution will never, in my opinion, confer upon the Province the benefits which the inhabitants have a right to expect from it.

3. Should the expectations of the framers of the Act of 1849, 12th Victoria, Chapter 82, be so far realized as to see the present Incorporated Colleges in Upper Canada affiliated with this University and on the terms and conditions contained in that Act, (which I believe to be totally out of the question,) what progress will even then have been made towards giving satisfaction to the people at large? The very act of affiliation, on the part of any Incorporated College, calls upon it to surrender some of the most valuable of its Chartered Rights, without being offered in return any equivalent whatever,—except, indeed, it may be the privilege of appointing one Member to a seat in the Senate. Besides, in the event of all the Incorporated Colleges affiliating with the University of Toronto, the young men who are now being educated in them, if they desire to take any other Degree than that of Divinity, must, of necessity, repair to the University of Toronto, at a very serious expense, and, in many instances, at great inconvenience, there to remain several years before they can obtain, the Degrees they seek for. This will be felt to be a very great hardship upon those residing in the outer Counties of the Province, and will amount, in many instances, to a prohibition against the attainments of academical Degrees, or University honours of any kind.

4. The plan I propose is to avoid this inconvenience, and to extend the right to the different Educational Institutions throughout the Country whether incorporated, or not, to prepare young men to take their Degrees in the University, and to put it in their power, if they choose to exert themselves, to participate in its Endowment, which was intended for the benefit of all classes of her Majesty's subjects. The Bill I propose, (by the 18th Section), [page 224 of the Ninth Volume], clearly shows to what Institutions its benefits are proposed to be extended. It comprehends all those that are incorporated within her Majesty's Dominions, and also such others, corporate, or unincorporated, as now are, or shall hereafter be established for the purpose of education within the same, as the Governor shall, from time to time, prescribe under his Hand and Seal at Arms.

5. It is objected to this arrangement, that all the Colleges, in which the youth of the Country will be educated, will be Denominational Institutions only, and not like the plan of the London University, where there is a College established in connection with it, called "University College," which is not Denominational, or sectarian, but is open to all, without distinction; for which reason, it is said, the public are satisfied with the University there bring an Examining Institution, and not a "Teaching College," or Institution for instruction. The University of Toronto will, by the proposed change, be placed in the very same situation with that of the London University.

6. To answer the object and use of the "University College" attached to the London University, we shall have Upper Canada College here to answer the same purpose, as regards the University of Toronto. Each will stand in the same relative position to their respective Universities. In each of such Colleges all classes may meet on common ground, without reference to Religious Faith; and Upper Canada College is now respectably endowed.

7. The 19th Section of my proposed University Bill, [page 224 of the Ninth Volume], is applicable to the Medical Department alone, and is equally liberal with the 18th. Section, and will prove equally extensive in its operation.

8. It is said that, although the plan of the London University is adopted to the state of Learning in England, it, by no means, follows, that Canada is in a condition to adopt it. In my humble judgment it is impossible to conceive a Country to which the system I propose

is better adapted than to Upper Canada. Here political and Religious liberty prevail to the fullest extent ; and any advantage extended to one class of the population over another would be at once resisted ; and, if we can judge from past experience, with every chance of success.

9. It is said that the advance position of Learning and Science in England entitles them to be trusted with confidence in their examinations for Honours and Degrees. If, in our infantine state, as regards education we cannot command the services of a sufficient number of educated men among ourselves who are capable of giving our youth such an education as to enable them to complete for University Honours what is to prevent us obtaining them from England, Ireland, or Scotland ? Persons may be taught and information may be imparted as well in this portion of the Globe as in Great Britain, and, so long as we have the means placed at our disposal of securing the services of able men, our proficiency in Science and Learning will proceed by a similar gradation with that of England.

8. As respects the Professors at present employed in the University, they have it in their power, if they prefer it, to engage in some of the Collegiate Institutions of the Country ; but, in preparing the proposed University Bill, I felt it to be my duty, if they did not desire it, or could not take that course, to provide for them in such a manner as that they should suffer no injustice in any way,—leaving it, of course, to the Senate of the University hereafter to make any other arrangement they might think proper.

9. By the plan I propose, University Examiners must be appointed, and they must be men of ability and superior attainments; and, if the present Professors are not employed in that capacity, other persons will be. If then, the Professors be employed as University Examiners, it is said that they will not, for some time to come, have anything to do to occupy their time. This is a mistake ; for it will be recollected, that there are now a number of young men who have matriculated in the University, and who have a right to expect the education they thus contracted for ; and the Bill which I propose provides, that Special Regulations may be made, with regard to the examination of Students who have matriculated in the present University,—and, with regard also to the completion by them to the prescribed Course of Instruction ; and the Bill further provides, that the Examiners may be required to give instruction and Lectures to the said Students during such times as may be deemed requisite to afford them a fair opportunity of taking one Degree after the Bill, which I propose, passes ; but no Examiner, being now a Professor, or Lecturer, is to be entitled to any pay, or allowance, beyond that which he receives as Examiner for the performance of any such duty.

10. It appears to me to be very desirable that young men contending for University honours should be examined, as to their proficiency, by others than those from whom they received their instruction. It must have the effect, I think, of giving a higher standard of value to the Degrees conferred,—a principal object sought to be obtained by the proposed measure,—for in the Bill itself, it is provided, that the Regulations to be made, with respect to the Literary and Scientific attainments of persons obtaining Degrees, or Certificates of Proficiency, and the examinations gone through, shall, in so far as circumstances will permit ; be similar to those in force, for like purpose, in the University of London, to the end, that the standard of qualification in the University of Toronto may not be inferior to that adopted for a like Degree, Certificate, or Honour, in the University of London.

11. It seems to be apprehended by some, that, in the event of the proposed change taking place, the number of those who are likely, for a long time to come, to present themselves for examination will be small. Of course, it will require some time to bring the change about ; but no longer than will be required to educate the young men who have already matriculated and are now pursuing their studies in the University, particularly of King's College, when it was established.

12. Queen's College, Victoria College, Regiopolis College, Upper Canada College, Knox's College, the Colleges in Lower Canada and in the Lower Provinces, and in the Medical Schools, should, at once, turn their attention to educating young men with the view of graduating them, as proposed, in the University of Toronto ; and, should this happily come to pass, and the time arrive, where any young man, who may have been educated in any recognized College, or School, whether incorporated, or unincorporated, whether medical, or otherwise, can present himself to compete for the highest honours in the gift of the University, no matter what his Religious Faith may be, it will be a desirable state of things, and one which the Country cannot but highly appreciate.

13. The present income of the University of Toronto, beyond what will be necessary for its own support, (say about Four thousand pounds, (£4,000,) per annum,) may be estimated now at Six thousand pounds, (£6,000,) per annum ; and this sum must continue, with proper management, materially to increase every year, until the Lands are all disposed of, and the Rents collected. The amount, as it increases, the Bill proposes to divide among the different Educational Institutions in Upper Canada, without regard to Denominational, or sectarian, considerations, but according to the numbers they may respectively educate and who may take

Degrees in the University. For instance if one hundred pounds, (£100,) be given for each person who takes a Degree, and one Institution educates, in one year, ten young men, who take their Degrees, that College, or School, will be entitled to receive the sum of One thousand pounds, (£1,000,) and so on, more, or less This, in my opinion, will create a most wholesome rivalry among the Educational Institutions of the Province; and the greater the number of young men any College, or School, educates, who shall take Degrees, the higher will be the character of the Institution, and the greater will be the extent to which it will share in the Public Endowment. In this way, no favour, or affection, is shown, but every one is placed upon a fair and equal footing. The Prizes are open for competition to all.

14. Permit me to call particular attention to the Preamble of the Bill which I propose, and to the 11th., 12th., 17th., 18th., 19th., 20th., 21st., 22nd., 23rd., 25th., 26th., 27th., 28th., 29th., 33rd., 34th., and 36th Sections.* Like the London University, I propose, as I have already said, that this University shall be solely a Body for the purpose of ascertaining, by means of examination, the persons who have acquired proficiency in Literature, Science and Arts, by the pursuit of such a course of education as the Bill contemplates, and of rewarding them by Academical Degrees, as evidence of their respective attainments and marks of honour proportioned thereto; and not a Body, as at present, for instruction. No further sum will, therefore, be necessary to erect additional Buildings, as the present one will answer all the purposes required. In this manner, also, the objection to the "Godless character," which is a formidable one indeed, is got rid of, and, like the London University, the Bill requires that it shall dictate the Course of Study to be pursued, and that it shall publish, in an intelligible form, from time to time, the nature, extent and description of Examinations which the respective applicants for Degrees, or Certificate of Proficiency, will have to undergo. The financial affairs, both of the University and of Upper Canada College, I propose shall continue under the able management of the present Endowment Board, according to the provisions of the new University Act now in force, and under which it was appointed.

TORONTO, 1851. HENRY SHERWOOD.

IV. REPORT BY THE BOARD OF ENDOWMENT OF THE UNIVERSITY OF TORONTO FOR 1851.‡

(Note. Such parts of this Report, as were not of public or special interest, have been omitted).

1. The Board of Endowment have now the honour to present to the Senate of the University of Toronto, their Second Annual Report of the state of the Property and Effects of the said University, as required by the last clause of Section 22, of the University, Act of 1849 : 12th Victoria, Chapter 82.

2. When the last Report was presented to the Senate the Commission of Inquiry into the affairs of the late King's College, which had been so long in existence, had not finished their labours, and regret was expressed by the Board that they were prevented from giving so full an exhibition of the state of the Effects and Property of the University, as they could have desired.§

3. The final Report of the Commision of Inquiry, has, now for some months, been in possession of the authorities of the University ;‖ to it, and the set of Books which accompanied it, the Board of Endowment have, of course, had free access, but, as the labours of the Commission only reach to the thirty-first of December, 1849, it is obvious that, until, the accounts prepared by them are continued, so as to enable the Board to strike a balance at the end of the year, any attempt to derive a correct estimate of the state of the Endowment, as at this date, based upon the Report, would be futile. The Board have commenced the work of continuing these Accounts, and hope, before the time arrives for the presentaton of their third Report, to be in a position to base that Report on the work of the Commission of Inquiry, but they find that, to accomplish this, the strengh of the Office must be increased. . . In such circumstances, this Report will be necessarily be somewhat similar in the nature of the information which the last Report conveys, to that which related to the year 1850, embracing merely the transactions of the year. . .

* See pages 223-226 of the Ninth Volume of this Documentary History.

‡ For record of the Proceedings of the Board of Endowment for the year 1851, see pages 285—292 of the Ninth Volume of this Documentary History.

§ See pages 279—281 and 283 of the same Ninth Volume.

‖ This Report was presented to the House of Assembly on the 31st of July, 1851, and ordered to be printed. It extends to xv+366=381 Pages, and will be found, in a complete form, in the Appendix to the Journals of the House of Assembly for 1852.

4. It was stated in the last Report, that the balance in Cash, at the credit of the Investment fund, amounted to the sum of		£4,409	15s 7
This fund was, in the course of the year, increased as follows,—Instalments on sales of Land		£6,918	17 10
Government Debentures were redeemed to the value of	£47 14 0		
And there was paid by Messieurs J. G. Ridout, and J. E. Small on account of the principal sums of their respective Mortgages	£89 18 10		
Making together of Investment returned		137	12 10
		£11,466	6 3
To which sum there remains to be added, the Surplus Income Fund, as ordered by Section 42, of the University Act of 1849		758	13 9
Giving a total Investment Fund, at the Close of the year, of		£12,225	0 0

Expenditure on account of this Investment Fund is as follows :—			
Investment in Government Debentures		9,000	0 0
Paid towards the completion of the Medical Building		150	0 0
Books for University Library		102	0 9
Microscopic Specimens for Museum		40	0 0
Paid on account of the appropriation for the New Building, Premiums for Designs, under the sanction of University Statute Number 32	£100 0 0		
To Mr. T. Young, Architect, the successful competitor	117 10 0	217	10 0
And there has been carried to an Appropriation Account, under the Satute of the Senate, Number 40, to meet the expenditure authorized for the improving the Port Hope and the Port Stanley properties		950	0 0
		£10,459	10 9
Leaving a balance still at the credit of Investment Fund,		1,765	9 3
Net amount		£12,225	0 0

5. The accompanying statement of the transactions for the year will exhibit in detail to the Senate, the description of the receipts and the nature of the expenditure, including the re-payment by Upper Canada College of their share of joint management, the interest of the Fund from which the income for the Wellington Scholarship is derived, and insurance, postage and salaries returned, the whole amount actually received during the year amounted to £11,616 15s. 7d. and the sum expended, including the appropriation of £1,000 made under Statute of the Senate Number 46, for the payment of the Commission of Inquiry, amounted to £10,858 1s. 10d. leaving a balance of £758 13s. 9d. to be transferred to the Investment Fund, as before noticed.

6. It may be proper here to refer to an account which has been established in the Office, named the "Deposit Account." Parties sometimes remit money, the destination of which is not clearly pointed out, and sometimes payments are made which, at the time, cannot be appropriated, as desired; such moneys, whether intended for the University, or for Upper Canada College, are placed to the credit of "Deposits," and when the way is clear for their appropriation, or it becomes necessary to return them to the parties, by whom they were remitted, they were withdrawn, and so appropriated, or returned. . . .

7. As the Senate by Statute Number 32, "on building," enabled the Board of Endowment to make sales of Land, without, in each case, obtaining the special authority of the Senate, the Board have used every exertion, consistent with the interests of the Institution, to dispose of that portion of the Land of the Endowment which still remain unsold, and thus bring it into a position to yield a larger and more certain Income; the result has been, that, including three sales which were previously made, with the special approbation of the Senate, the Endowment Board were able, between the month of May and the close of the year 1851, to dispose of 5,989¾ acres of Land at an aggregate price of £13,174 10s. 7d. or an average of within a very small fraction of £2 4s. 0d. per acre. . . .

8. Until the Books (containing the accounts of the Commission of Inquiry into the Affairs of King's College) are continued, so as to enable the Board to strike regular balances, it will be impossible to give a correct estimate of the extent to which, in the course of the year, the reliable sources of income have been increased; but an enquiry, lately made into the actual income of the University, falling due in each of the years 1850 and 1851, enables the Board to state that the income of the latter year exceeded that of the former by about £550, and a further enquiry into the probable Income for the

current year, to be derived from rent, interest and other profits falling due, and receivable during the year, gives as the result, that the Income for 1852, irrespective altogether of arrears, ought to be somewhere about £9, 732, or in excess over the year preceding of about £1,615.

9. Preparations have been made for bringing the Port Hope Property into the market as Town Lots; a large portion of the land has been surveyed, the plan has been registered and contracts entered into for the grading of certain of the streets . . . The special attention of the Board has been also directed to the Port Stanley property, which altough not equally valuable with that of Port Hope, may still be expected as the Town increases, to prove instrumental in realising a very considerable sum . . . . A quorum of the Board consisting of the University Members and the Chairman visited the property last autumn, and when there entered into negotiations, which have since, with the approbation of the Senate, been concluded . . .

10. Another subject which it seems necessary to notice, is that of the division of the Joint Management Account. According to the Statute of the Commission of Visitation, defining the duties, and naming the salary of the Chairman, one-sixth of the salary is payable by Upper Canada College, and the remaining five-sixths by the University . . . each Institution bearing, as in 1850, the expense of the attendance of the Board of its own Members.

11. There is one other subject to which the Board would respectfully call the attention of the Senate, namley; the necessity of a yearly Statute for "Incidental Expenses", appropriating some specific, or definate, sum of money under that general head, according to the University Act, and dividing it into the several branches of expenditure for the different departments, controlled by the Head of each department, and paid on his certificate according to the Senatorial Statute now in existence. These "Incidental Expenses" are made the fourth charge on the income fund of the University, and, in the absence of any definite appropriation, the Board is called upon to pay moneys on the Certificate of the proper authorities to any required amount that the income fund may bear, thereby jeopardizing the fifth charge, which is for the salaries of the Professors, etcetera, and affording no such check upon the expenditure of any one department, as the University Act evidently contemplated. . . .

Toronto July 8th, 1852. David Buchan, Chairman.

V. Report by the Board of Endowment to the Council of Upper Canada College, for 1851.*

1. The Board of Endowment of the University of Toronto, and Upper Canada College and Royal Grammar School, have now the honour, as required by the 59th Section of the University Act of 1849: 12 Victoria, Chapter 82, to present to the Council of Upper Canada College their Second Annual Report, in regard to the state of the Property and Effects under the charge of the Board, and of the fiscal and financial affairs of the said College.

2. The Board regret . . . the meagre character of the information they can convey. The Commission of Inquiry, into the Affairs of King's College, did not present their final Report until shortly after Midsummer. That Report only reaches to the close of 1849, consequently, to enable the Board of Endowment to take advantage of the investigation of the Commission, their accounts must be continued, a labour which the Board have not been able to overtake, but for which the necessary assistance is about to be procured. . . .

2. At the time the accounts for 1850 were prepared the expenses of Joint Management had not been apportioned between the University and College. . . . so that the joint expense both of 1850 and 1851 have been included in the disbursements. . . .

3. During the course of the year the sum received on account of the Investment Fund, was for sales of Land £1,464 15 10,

which was expended as follows,—

	£	s.	d.	£	s.	d.
Payment of an overdraft for Investment in 1850	15	15	10			
Provincial Debenture	500	0	0			
Books for University Library	1	3	9			
				516	19	7
Leaving a balance of				£947	16	3

Of which £900 had been set apart for investment in Mortgages. . . .

The amount received on account of income during the course of the year from all sources, including Fees for tuition and the Government Grant, was £4,395 1 3

The disbursements during the year, inclusive of the expense of joint management for 1850, as already alluded to, were £4,639 15 9

Leaving Income a debtor in the sum of £244 14 6

* The less important parts of this Report are omitted.

According to the Statute of the Commission of Visitation, defining the duties and naming the salary of the Chairman of the Board of Endowment, one-sixth of the salary is payable by Upper Canada College, the other five-sixths by the University. . . .

As pointed out by the Act, each Institution bore the expense of the attendance at the Board of its own Members.

4. The Board would take this opportunity of stating that, owing, no doubt, to the locality of the greater portion of the Endowment of Upper Canada College, there is a much greater difficulty experienced in making sales than in the case of the University. The Lands of the latter are, in general, situated in the more settled portions of the Country, and are, of course, more in demand and command better prices. The Lands of Upper Canada College are, to a very great extent, in Seymour to the Eastward, and in Ekfrid and Mosa to the West, which, as compared with the front Townships, are but very indifferently settled. Nevertheless, the Board have been able to make some sales. In 1850, they disposed of 2,010 acres, at an aggregate price of £2,940, and an average of $5.85 per acre . . . In 1851, they sold 2,558 acres, at an aggregate price of £3,314, and an average of $4,91¼ per acre. The total average of the sales of the two years is a fraction over 27s. 3½d. per acre.

5. The Board is at present taking steps in reference to an inspection and valuation of all the Lands under their charge, which they have every reason to believe will result, not simply in affording a more correct knowledge of the state of the property, but in promoting sales: and although they regret to perceive that the College is at present struggling under difficulties, arising from a deficient, or, at any rate, a very narrow Income, as compared with the Expenditure, they have every reason to hope, that, in the course of a few years, the sales will be so increased as to put the Institution in a position to enable the Council to extend its usefulness by adding to the number of branches in which instruction is given, and reducing the fees paid by the pupils.

6. The Board would conclude this Report, by respectfully urging upon the Council of Upper Canada College the necessity there exists for the practice of the most rigid economy in the Expenditure of the Institution, otherwise there will, in all probability, arise the necessity for a very serious deduction from the incomes of the Principal and Masters. In connection with this subject, the attention of the Council is also respectfully called to the necessity of a yearly Statute for incidental expenses, appropriating some specific, or definite, sum of money under that general head, according to the Act of Parliament, and dividing it into the several branches of expenditure for the different departments. These incidental expenses are made the fourth charge on the Income Fund of the College, and in the absence of any definite appropriation, the Board are called upon to pay moneys to any required amount that the Income Fund may bear, thereby jeopardizing the fifth charge, which is for the salaries of the Principal, Masters, etcetera, and affording no such check upon expenditure as the Act of Parliament evidently contemplated. . .

TORONTO, August 12th, 1852. DAVID BUCHAN, Chairman.

VI. REPORT OF THE CAPUT OF THE UNIVERSITY OF TORONTO FOR THE YEAR 1851.

I. In the Report for 1851,* the Caput gave a brief sketch of the measures, which were preliminary to carry the University Act of 1849 into active operation, as it regarded the Convocation, the Senate, the Caput, the three Faculties, and the Endowment Board.‡ They at present propose to notice the principal proceedings of each of these Bodies during the past year, and to subjoin detailed information, from which correct views may be formed of the progress and prospects of the University of Toronto:

(1.) CONVOCATION.—The proceedings of this Body present no measure of any public interest, with the exception of the Matriculation of Students and admission to Degrees. . .

(2.) SENATE.—The subjoined List giving the titles of the Statutes passed by the Senate in 1851, will sufficiently explain the objects to which the chief attention of that Body was directed during the year. (Not inserted, as they are mentioned in the Chapter which record the Proceedings of the Senate.)

(3.) CAPUT.—The principal subjects which engaged the attention of the Caput during the year, in addition to measures connected with the ordinary Discipline and Government of the Institution, was the examination of Testimonials submitted by Candidates for the Professorship of Agriculture, and for the new Professorships established by the Visitatorial Commission. . .

(4.) BOARD OF ENDOWMENT.—For the proceedings of this Body during the year, the Caput beg to refer to the annual Report. (Inserted herewith, page 75).

(5.) COMMISSION OF VISITATION.—Two very important Statutes were passed by this Body during the year; one, whereby the new Professorships already referred to, were established; another, making Regulations relative to the Religious Instruction of the Students.§ The only Religious Denomination which has taken action under these Regulations, is that of the Congregationalists, by whom the Reverend Adam Lillie was appointed Professor of Divinity. . . .

* I am not able to give this Report as it is not available, nor was it among the University Papers of 1850, to which I had access.

‡ The substance of this information, at least in part, will be found on pages 118-122 of the Ninth Volume of this Documentary History.

§ These Regulations are printed on pages 294, 295 of the Ninth Volume of this Documentary History.

(6.) THE FACULTIES,—No business of any public importance has been transacted by the Faculties during the year. In December the following Professors were elected Deans,—Law,—Skeffington Connor, LL. D. ; Medecine,—W. C. Beaumont, M. D. ; Arts,—the Reverend James Beaven, D.D.

(7.) COMMISSION OF INQUIRY,—In the month of July, 1851, this Body (appointed by Statute of King's College, in July, 1848,* to examine into and report on the fiscal affiairs of the Institution,) presented there final Report. (See page——herewith.)

The Caput will now proceed to give detailed information under the same heads which were adopted in their Report of last year :—

II. (1.) *Buildings*, No changes has been made since last year in the arrangements for conducting the business of the Institution. The Building Committee, which was appointed by the Statute of the Senate in May, 1851, . . issued an advertisement inviting Architects to send in Designs. On their receipts the Committee proceeded to examine the designs which had been sent in by Messieurs Young, Thomas, and John Tully, Architects, and decided in favour of Mr. Young's Designs, as the best of the three. The Committee were occupied during the remainder of the year in modifying the Plans. By a Statute, passed in October, 1851, the number of the Committee was increased from seven to eleven, and another Statute relative to their authority was passed on November of that year.

(2.) *Grounds*, During the past year, convenient portions of the Ground were set apart for the Experimental Farm and Botanical Garden, and the necessary preparations are at present in progress, under the supervision of the Professor of Agriculture, and a Committee appointed by the Senate to take charge of the Botanical Gargen.

(3.) *Library, Museum and Apparatus.* No important addition was made to these during the past year, in any of these departments ; about one hundred and thirty volumes (exclusive of Periodicals and Pamphlets,) have been added to the Library. The Anatomical and Chemical department have been increased, the former by about twenty five, and the latter by about forty, preparations.

(4.) *Officers.* The only changes which have taken place, are the election of Mr. George W. Draper, M. A., as Pro-Vice Chancellor, in place of Mr. Larratt W. Smith, B. C. L., resigned ; of Mr. Daniel McMichael, B. C. L., as Member of the Caput, in place of Mr. George Crookshank, M.A ; of Mr. Larratt W. Smith, B. C. L., as Secretary of Convocation, in place of Mr. Edward Nation, who acted in that capacity *pro tempore* ; Doctor W. C. Beaumont, as Dean of the Faculty of Medecine, in place of Doctor W. B. Nicol ; and the appointment of Mr. David Buchan, as Chairman of the Endowment Board, in place of Honourable Francis Hincks, resigned ; and of Mr. Drummond, as Book-keeper of the Endowment Board.

(5.) *Students*, (1.) Number admitted during the year 1851, 58.—Matriculated, 13 ; Occasional, 45. (NOTE. Birth places and ages of students omitted.)

(2. *Religious Denominations* : Matriculated,—8, Church of England ; 2, Methodist Church ; 2, Free Presbyterian Church ; 1, Baptist Church.

Occasional,—20, Free Presbyterian Church ; 7, Church of England ; 7, Methodist Church ; 3, Church of Scotland ; 2, Other Presbyterians ; 1, Congregational Church ; 1, Baptist Church ; 2, Universalists ; and 3 Not Known.

(3.) *Ages*, Matriculated,—Maximum, 22 ; minimum, 18 ; average, 19½.
Occasional,—Maximum, 36 ; minimum, 16 ; average, under 24.

(NOTE. The rest of the detailed information and Statistics are omitted.)

VII. REPORT OF THE PRINCIPAL OF UPPER CANADA COLLEGE OF 1851.

To His Excellency the Earl of Elgin and Kincardine, Governor General.

1. The Annual Report which is required of the Principal of the College by the University Act of 1849 . . . cannot, . . . from the fixed and regular order into which the system of the College has quietly and fortunately lapsed, present any new or striking features. . . .

2. Although such data are but barren soil from which to elicit a long or varied Report, and may, therefore, place me so far in an unfavourable light, yet, in the opinion of those acquainted with the nature of Educational Establishments, this state of quiet and repose will be regarded as the greatest blessing to the College, Institutions of Education belong not to that class whose roots grasp the more firmly from the hurricane beating upon them.

3. It gives me pleasure to state, that the year 1851 has been upon the whole a successful one ; the number of pupils in the College has slightly increased, and the year closed with the prospect of an advance in the number of scholars.

4. I have not, I am sorry to say, yet been enabled to advise the Council of the College to introduce into its system of instruction in Chemistry and Agricultural Chemistry, nor to ask them to put

* See pages 236, 237 of the Seventh Volume of this History.

upon the Grounds the workshops, to which I alluded in my Report to Your Excellency, for the year 1850.

5. At the commencement of the year 1850, when the new University Act of 1849 came into operation, the College was entirely without funds, or the means of adequately supplying its wants, inasmuch as the Board of Endowment, which alone has the power of disposing of our property to create an income, did not go into operation for nine months after the first of January, 1850. . . .

6. We have suffered, and are still, suffering, from this cause, and one consequence is that, although I see the premises getting into a dilapidated state, I yet know it is useless to recommend their thorough repair, as the funds therefor are not to be had. I live on, however, the hope that our Endowment Board, which, as I believe, are giving their best energies and kindliest feelings to their duties in behalf of the College, will be yet enabled so to turn our Endowment to account, that we may ere many years have elapsed, not only be placed in a position beyond the fear of want, but have our resources so improved that we may be enabled to become still more extensively useful to the Province at large, and that the Upper Canada College may repay tenfold, through its many useful, good and honourable sons, the liberality of the yearly grant. The Report of the Endowment Board for 1851 to the Council, breathes the same feeling in the following words:—

Although the Endowment Board regret to perceive that the College is struggling at present under difficulties, arising from a deficient, or, at any rate, a very narrow, income, as compared with the expenditure, they have every reason to hope, that in the course of a few years the sales will be increased as to put the Institution in a position to enable the Council of the College to extend its usefulness, by adding to the number of branches in which Instruction is given, and reducing the fees paid by the pupils." . . .

The Board would take this opportunity of stating that, owing no doubt to the locality of the greater portion of the Endowment Lands of Upper Canada College, there is much greater difficulty experienced in making sales than in the case of the University.

7. The Resident School House—is, I am happy to say, a most successful experiment; for not only is it for the first time since the foundation of the College a pecuniary saving; but the admirable way in which it works, the happiness and cheerfulness of the boys, the constant and unceasing supervision exercised by the Resident Masters,—the total absence of all complaint against it,—the almost clear terminal reports of conduct which regularly go home to the Parents, have amply repaid for all the trouble and anxiety I have experienced in bringing it to its present state.

8. The Commercial Department,—of which I spoke in my Report for 1850, as not receiving that support which was expected, has begun to attract attention, and the numbers in it have advanced, and are steadily increasing.

9. Conclusion: In taking a retrospect of the year 1851, I cannot but feel thankful for the measure of success which has been vouchsafed to our exertions; and it is no small gratification to me to feel that, if Upper Canada College ever deserved the kindly interest which Your Excellency has been pleased to evince towards it, the Institution may still honestly continue to solicit from Your Excellency, that favourable consideration which has been and will continue to be, no small incentive to further exertions.

TORONTO, August, 1852. F. W. BARRON, Principal.

CHAPTER VII.

PROCEEDINGS OF THE CHURCHES ON UNIVERSITY MATTERS.

I. THE METHODIST CHURCH REPRESENTING VICTORIA COLLEGE, 1851.

ADDRESS OF THE CONFERENCE TO THE FRIENDS OF VICTORIA COLLEGE.

The following Address was issued by the Conference of the Wesleyan Methodist Church in Canada to the Members and Friends of that Church in behalf of the University of Victoria College at Cobourg. The Conference, in its Address, said:—

1. We desire to lay before you a brief statement of circumstances connected with Victoria College and appeal to your tried and well known liberality in supoort of that Institution,—the creation of your own intelligent piety; and we hope it will long remain one of its noblest monuments and effective instrumentalities.

2. It is now twenty years since the idea of Establishing a Seminary of Learning by our Church was first entertained; an appeal was made to the enlightened liberality of our Brethren and Friends, which resulted in subscriptions and donations of some Twelve thousand pounds

(£12,000=$48,000.) and the erection of the Buildings of the Upper Canada Academy at Cobourg. * A Royal Charter was obtained in 1836 ;‡ and in 1841, the Institution was incorporated by an Act of the Provincial Legislature into a College with power to confer Degrees in the Arts and Faculties.§ But the original objects of the Institution were still kept steadily in view,—namely, providing for a practical and Scientific English Education, and instruction in the Elementary Classics and Mathematics.

3. During the last six years, the Provincial System of University Education has been a subject of public discussion and Parliamentary deliberation ; and, under such circumstances, we were in suspense as to the course which our united duty to our Country and our Church might require us to pursue. On the one hand, we felt it our duty, as citizens, to co-operate with the Legislature and Government of the Country, as far as possible, in promoting sound Christian Education among our Canadian youth ; and, on the other hand, we felt it our duty, as Christians, to fulfil the trust reproved in us by the Founders and supporters of our College, and to perpetuate, with increased efficiency, this important agency of our Church. While, therefore, the University Question was pending, it appeared unadvisable, if not impracticable, to adopt decisive and definite measures for the endowment and permanent efficiency of Victoria College.

4. At length, within the last two years, successive Acts of the Legislature, (in 1849 and 1850,) have placed the Provincial University upon a broad Christian foundation, so far as depended upon Acts of Parliament ; and we were disposed and prepared to give it our sanction and support, as far as circumstances would permit, and in accordance with the original and essential objects of our own College. We believed that these objects might be most extensively and easily promoted, could a satisfactory disposal of the College Buildings at Cobourg be made, and new ones obtained, or erected, at Toronto ; but, after several months delay, the expectations held out for effecting this arrangement have not been realized. Our course of duty, therefore, appears to be marked out, not by any theory, or indications of our own, but by circumstances beyond our control ; and that course clearly is, to pursue our work in our own way, and to unite, "as the heart of one man," to carry out the primary and noble objects of our Seminary in the place and amidst the associations of its first establishment.

5. The matters which we have thus stated have received from time to time, the most anxious consideration of those, both laymen and Ministers, on whom the immediate care of Victoria College devolved ; and the proceedings narrated were the result of their calm and united judgment.

6. From this retrospect of the past, it now becomes us to look to the future, and to ask ourselves : " What is our duty ? What do Piety, Benevolence, Patriotism demand at our hands? What contribution and effort are we called upon to make in behalf of a work which devolves the very best interests of as many youth of our Church and Country ?—interests which have occupied so many anxious deliberations, which have been the subjects of so many Prayers, and which have prompted to so much labour and exertion ? "

7. We think our Brethren and Friends throughout Canada will agree with us, that our Church would fail in her duty not to have at least one Seminary of Learning. Such Institutions are wants which are felt by every Religious Community of any extent, or intelligence, both in Europe and America. They exist in connection with every Religious Denomination in England, and abound amongst the Religious Denominations in America. Several Colleges have been established by the Wesleyan Church in England ; and, in the United States, the Methodist Church has established no less than thirty University Colleges, and upwards of seventy Seminaries, or Academies. In that Church there are no less than thirty-five Annual Conferences ; and nearly every Conference has founded a College, or Academy, and some of the Conferences more than one. It is true, that all these Colleges and Academies have received more, or less, aid from the individual State ; for it is the policy of nearly all the State Legislatures, by means of educational grants to Colleges and Academies, to encourage and develop the resources and exertions of the Religious Denominations, as well as of municipalities ; and, it is by this varied and liberal system of calling forth Religious, Patriotic, and local zeal in the common cause of education, that mental culture is so widely promoted, and knowledge is spreading throughout their whole population. But, at the same time, the Denominational Seminaries, which, besides their direct teaching, contribute so much to elevate the moral tone of all other Colleges and Schools, are chiefly established and sustained by the Denominations themselves. It was a fine sight to witness, a year or two since, the exertions put forth by the Baptist Denomin-

*Full particulars of the proceedings of the Conference of the Wesleyan Methodist Church, which led to the establishment of the Upper Canada Academy at Cobourg, will be found in Chapter I, on pages 1-12 of the Second Volume of this Documentary History.

‡ A detailed "History of the Charter " of the Upper Canada Academy is given in Chapter XV, pages 238-274 of the Second Volume of this history.

§ A copy of this Act of Incorporation is printed on pages 57-61 of the Fourth Volume of this History.

ation for the Endowment of one of their many Colleges in the neighboring States. Brown University, established many years since in the small State of Rhode Island, and, presided over by that eminent Baptist Clergyman, the Reverend Doctor Wayland, had become cramped and embarrassed in its resources, though it had received considerable endowment from the State ; but, on an appeal being made in its behalf, subscriptions were obtained in the course of a few months to the amount of One Hundred thousand dollars, ($100,000), for its Endowment. And still more recently, the Genesee Conference of the Methodist Church in the State of New York, resolved to elevate the Lima Seminary to College rank, and succeeded in obtaining Eighty thousand dollars, ($80,000,) or upwards, in subscriptions as an Endowment for that purpose, in addition to Nine hundred and sixty-nine dollars, ($969,) per annum granted to it by the State of New York. There are more Ministers and Members in the Wesleyan Methodist Church in Canada than there are under the care of the Genesee Conference. Surely every friend of the Church in this Province will say that she ought not only to have her Seminary of Learning, but that it ought to be liberally endowed

8 Again : if there be unity of sentiment as to the College itself, there can scarcely be less unity as to the necessity of endowing it. No such Seminary is self-supporting, except where the fees of tuition are fixed at sixty, or seventy, pounds (£60 or £70,) per annum, instead of at Six or Seven, (£6 or £7). The experience of all Countries, and the practice of all Denominations of Christians attest the necessity of endowing every Seminary of Learning, whether for the higher, or elementary, branches of a Liberal Education. Even our Common Schools are endowed, or aided, by Grants from the Legislative School Fund of the Province, in addition to the ordinary fees of tuition, in order to make up even a small salary of a simple teacher ; the same is the case with the Grammar Schools, — to each of which, in most instances the sum of One hundred pounds, (£100,) per annum is granted by the Province, by way of endowment, for a single Teacher, in addition to fees and all other contribution from local sources.

9. All the Colleges and Seminaries in Lower Canada are endowed to a less, or greater, amount ; Upper Canada College has received by way of Endowment, in addition to the fees of tuition, some Three thousand pounds, (£3,000,) per annum ; and the Endowment of Toronto University exceeds Ten thousand pounds, (£10,000,) per annum ; and many contend that that is not too large an Endowment, although little more than one-tenth of that sum has been sought in behalf of Victoria College. All the Religious Denominations in the United States, (where the most stringent economy is practiced,) endow their Colleges and Academies, and sometimes very largely, chiefly by voluntary subscriptions, though aided, to some extent, by grants from the State. In addition, then, to the small Legislative Grant made in aid of Victoria College, it must be apparant to all, that an Endowment from otner sources is indispensable, in order to accomplish the object of the Institution.

10. And we think you will also agree with us, that, in addition to any aid which may be granted by the Legislature, there are only the following modes of endowing Victoria College,— namely, by Donations, by Annual Subscriptions and by Scholarships. A system of Scholarships has been devised, which has been tried and adopted with great sucess and advantage to all parties concerned by our Brethren in the neighboring State of New York, and other States : and which it is proposed to adopt with a view to the advancement of Victoria College. The scheme is as follows :

Each Scholarship is valued at Twenty-five pounds, or One hundred dollars,—payable at the end of four years, with the interest annually in advance. In return, the holder of such Scholarship has a right to the tuition of one pupil, or student, for twenty-five years, in all the branches of the prescribed Course of Instruction in the College. If the holder of a Scholarship has no son of his own to educate, he can designate the son of any other person, or any worthy lad, or young man, whom he may think fit, as his Scholar in the College.

A cheaper method to secure a sound Christian Education for your sons, or for the sons of your friends, can scarcely be conceived, while you, at the same time, contribute to endow and extend the usefulness of the College. Th se who are unable to take Scholarships may aid by Donations, or Annual Subscriptions. By such means, our Brethren of the Methodist Church in the United States have established and endowed numbers of Colleges and Academies ; and surely, by such means the Members and Friends of the Wesleyan Methodist Church in Canada can endow one Institution, already established, which combines in its operations the threefold office of a practical and Scientific English School, a Classical Academy and a University College,— giving students an option either to graduate at Victoria College, or to take their Degrees at the Toronto University.

11. Under such circumstances, and upon such grounds, we think Victoria College has peculiar claims to your liberal support, and that of the public at large. As our Church was the first in her labours of ministrations and ordinances among the new and wide spread settlements of Upper Canada, so was she the first in establishing, by large and voluntary subscriptions, a Seminary of Learning for the education of Canadian youth, a Seminary within whose walls upwards of One Thousand of those youth have been instructed a longer, or a shorter, time, and

many of them have finished their education ;—a Seminary in which as many pupils of other Religious Persuasions have been educated as those of the Wesleyan Methodist Church,—in which the Religious Morals and interests of youth are especially cared for, while the wishes of their parents, in regard to Religious Instruction and Worship are conscientiously observed. If the Members and Friends of our Church in 1831,—twenty-years ago,—could subscribe so largely to erect such an Institution, surely they can contribute equally in 1851 to sustain and render it all that the best interests of our children and Country require. There are hundreds of your sons, on whom you wish to bestow a better English education than they can obtain in a Common, or Grammar, School ; there are also hundreds more of them to whom you wish to impart more than an English education. You cannot procure for them those priceless advantages in your own neighborhoods ; and where can you send them from home with so much safety to their Moral and Religeous interests, and when so many helps and facilities will be provided for their intellectual culture and improvement, as to a College in which Instructors of undoubted piety, attainments, and ability, will employ all their enerjies to secure to the youth committed to their care all the advantages of watchful oversight, skilful teaching, and affectionate solicitude ?

12. VERY DEAR BRETHREN AND FRIENDS, we have no more personal interest in this work than any one of those whom we address. It is a part of the mission of our Church ; it is a part of the duty which we owe to our offspring and to our Country. We ask you to do no more than we do ourselves, to the utmost of our humble means ; we join with you ; and we entreat you to coöperate with us in promoting this work. Let us implore the Divine Blessing ; let us combine our best efforts ; let us imitate the example of our Fathers and Brethren on both sides of the Atlantic ; let us have a Seminary of Learning worthy of our Church, worthy of our Country, and such as thousands of its youth shall feel it a privilege and an honour to call their *Alma Mater*.

Signed by order and in behalf of the Conference Executive Committee of the Wesleyan-Methodist Church in Canada.

ENOCH WOOD, President.
Toronto, September 3rd, 1851. JAMES MUSGROVE, Secretary.

II. OFFICIAL RETURNS RELATING TO VICTORIA COLLEGE.

The Govern ment, being desirous to getting Statistical and Financial Returns from each of the Colleges, to which a Parliamentary Grant had been made addressed the following Letter on the subject to the Reverend Doctor Matthew Richey, Principal of Victoria College :—

I am commanded by the Governor General to request that you will transmit to me, at your earliest convience, with a view to its being laid before the Legislative Assembly ;* a Return shewing the Affairs of Victoria College from 1st January, 1848, to 1st January, 1851, shewing also the names of the Officers of that Institution, with the date of their several appointments, the salary attached to each office, and the period up to which such salary has been paid ; the number of pupils in attendance at the Institution during the same period, on the first days of January and July in each year, and the average amount paid by each pupil annually for education, exclusive of board and lodging ; and also a similar Return where board and lodging is included,

TORONTO, 11th July, 1851. JAMES LESLIE, Secretary.

REPLY OF THE FOREGOING LETTER BY THE REVEREND CONRAD VANDUSEN.

In the absence from the Province of the Reverend Doctor Matthew Richey, Principal of Victoria College, the following Reply to the foregoing Letter was sent by the Reverend Conrad Vandusen, on behalf of the College :—

1. I have the honour of acknowledging the receipt of yours of the 11th Instant, addressed to the Reverend Doctor Richey, as President of Victoria College, requesting certain Returns relative to this Institution.

2. I deem it necessary to state that Doctor Richey is absent from this Province (in England,) and that in June last, the Reverend Doctor Ryerson was appointed in his stead, President of the College.

* This Return was moved for in the House of Assembly on the 10th of July, 1851. See page— of the preceding Ninth Volume of this Documentary History.

3. As the Official Records of the College are kept by me, I have great pleasure in submitting to His Excellency, the Governor General, without delay, the following Statement, in reply to your Communication of the date above referred to, and which contains the following points of inquiry, videlicet :—

"A Return shewing the names of the Officers of Victoria College from the first of January, 1848, to the first of January, 1851 ; shewing also the date of their several appointments, the salary attached to each office, and the period up to which such salary has been paid, the number of Students in attendance at that Institution during the same period," etcetera.

In reply, I have to state that the following appointments were made in June, 1847.

(1.) The Reverend Alexander Macnab, A. M., Principal of Victoria College, and subsequently also Professor of Theology and Moral Philosophy,—Salary, One hundred and fifty pounds, (£150,), per annum, with Fuel and Apartments in the College Buildings. He retired from his imcumbency in October, 1849.

(2.) John Wilson, A.B., Classical Tutor, and subsequently Professor of the Latin and Greek Languages. Salary, One hundred and twenty five pounds, (£125,) per annum. He retired from office in June, 1850.

(3.) Mr. William Oriniston, A. B., Professor of Rhetoric and Mental Philosophy. Salary, One hundred pounds, (£100,) per annum and Board. He retired from office in October, 1849.

(4.) Mr. Charles M. D. Cameron, Classical Tutor. Salary, Fifty pounds, (£50,) and Board. He retired from this situation in May, 1848.

(4.) Mr. W. McK. Paddock, A. M., was appointed Professor of Mathematics and Astronomy, in October, 1847. Salary, One hundred pounds, (£100,) per annum and Board. He retired from this position in October, 1849.

4. The following appointments were made in October, 1849, videlicet :

(1) The Reverend Doctor Mathew Richey, Principal of the College, (without Salary). He retired from office in June, 1851.

(2) Mr. James Campbell, A. B Mathematical Tutor. Salary Sixty two pounds, ten shillings, (£62.10), and Board. He retired from office, in May, 1850.

(3) Doctor John Beatty, Professor of Chemistry and Natural Philosophy. Salary, Fifty Pounds (£50,) per annum. He retired from office in May, 1850.

(4) Mr. R. S. Kelly, Teacher in Penmanship and Geometrical Drawing, Salary —— with Board. He retired in May, 1850.

(5) The Reverend Conrad Vandusen, who, on the 10th of June, 1848, was appointed Treasurer of the Institution, was afterwards appointed Governor of the College, and acted as such up to June, 1849. At which time he was reappointed Treasurer, and also Agent of the College. Salary, Seventy-five pounds, (£75,) per annum, with Board and Apartments in the College Buildings.

5. Also in September, 1850, the following appointments were made, videlicet :—

(1.) The Reverend Samuel S. Nelles, A.M., Acting Principal and Professor of Classical Literature. Salary, One hundred pounds, (£100,) per annum.

(2.) Mr. Wesley P. Wright, A B , Professor of Modern Languages, and also of Chemistry. Salary, One hundred pounds, (£100,) per annum.

3. Mr. William Kingston, A. M., Professor of Mathematics ; salary, One hundred and twenty-five pounds, (£125,) per annum, and apartments in the College Buildings.

6. During the Collegiate Year, ending in May, 1848, there were one hundred and fifteen pupils in attendance, and, during the year ending in May. 1849, one hundred and forty pupils attended. In January, 1850, sixty-five Students were in attendance, and forty-five in January, 1851. Our Vacation, last year, continued during the month of July and August, and our Session at the College commenced in September last, and continued up to the last Wednesday in June, inclusive, thus embracing the four Terms in one Session.

7. By referring to the accompanying Catalogue,* it will be seen, that the amount for tuition in the Collegiate division, per Term of eleven weeks, is Two pounds. (£2). In the junior division, One pound, ten shillings, (£1.10.); in the Commercial department, One pound, fifteen shillings, (£1.15,) and in the Preparatory School, One pound, (£1). The average amount per Term paid by each Student I suppose to be about One pound, ten shillings, (£1.10,) and the amount paid by each pupil for board is ten shillings per week.

8. In conclusion, it may be proper to state that the small number of Students in attendance lately at the College has been occasioned by our unsettled state,—having contemplated

* This Catalogue is not available.

the removal of the Institution from Cobourg to Toronto, which project has I think been for the present abandoned.

COBOURG, 25th July, 1851. CONRAD VANDUSEN, Treasurer.

III. Treasurer's Statement of the Receipts and Expenditure, of Victoria College for 1846, 1847, 1848, 1849 to June 1850.

(1) Receipts, from all Sources, and Expenditures, from June 1846 to June 1847 ..... £ 1,567 6 3

(2) Receipts from all Sources, and Expenditures, from June 1847 to June 1848 ..... £ 2,939 16 0

(3) Receipts from all Sources, and Expenditures from June 1848 to June 1849 ..... £ 3,251 13 6

(4) Receipts from all Sources and Expenditures, from June, 1849 to June, 1850 ..... £ 1,603 3 9

NOTE. The amounts received each year were made up of the Legislative Grant of Five hundred pounds, (£500,) old debts, Fees for Tuition, Charges for Board, Books sold, etcetera.

III. LETTERS FROM THE REVEREND S. S. NELLES TO THE REVEREND DOCTOR RYERSON.

The Reverend Samuel S. Nelles, A. B., (later D. D., LL. D.,) was appointed Acting Principal of Victoria College in September, 1850. His appointment as President of Victoria University was made a short time afterwards. In his Letter to Doctor Ryerson he said:

1. I am aware that you have just now an unusual pressure of engagements and, therefore, I hesitate to occupy your attention by any Communication simply of my own ; but I am encouraged by the deep interest which you feel in the College to address the Letters to you.

2. In reference to this Institution there is no one with whom I could so properly take counsel as with yourself ; and there are some points on which I am anxious that you should understand my own views and feelings before the next Meeting of the College Board.

3. I speak sincerely when I say that I do not think I should act as Principal of this Institution. . . .

4. I, for my part, would perhaps be as useful and as happy in the intinerant work ; but I think that our intinerant work is just now less needy than our educational work, and if my services be required, I would have no objection to remain for a time as one of the Professors.

5. I would further submit whether we ought to think of commencing operations again without Professor, or a Teacher, of Natural Science. It is desirable to economize ; but it seems to me a very doubtful economy to cripple the Faculty in this highly important member. This is evidently not the day when any College can prosper without a Master in the Laboratory.

COBOURG, 17th, June, 1851 S. S. NELLES.

NOTE. The answer to this Letter was made in person.

2. THE REVEREND S. S. NELLES TO THE REVEREND DOCTOR RYERSON.

1. The Reverend George R. Sanderson tells me that he has requested you to attend our Missionary Meeting and I wish to join my request to his, as it would be of much advantage to the College if you could pay us a visit.

2. I am often led to regret that the location of the Institution in Cobourg does not enable me to avail myself of your counsels in the immediate management of our affairs, but, if you could come down and give us a Lecture, or Address, this would partially compensate for our loss in other respects. You could perhaps deliver the Lecture on Saturday evening. . . .

3. We are getting on in the College as well as we can. We have but few students,—about forty-five. I have very little hope in of the Reverend Mr. Vandusen's success in selling Scholarships. . . . We are indebted to the esteemed and disinterested Co-delegate for all that has been done as yet. The Reverend Mr. Sanderson is doing well as our Minister. . . .

Please let me know as to the possibility of your visiting us,—and also whether we may expect a Lecture from you in the College.

COBOURG, 22nd November, 1851. S. S. NELLES.

3. Reply of the Foregoing by the Reverend Doctor Ryerson.

1. . . . As I purpose to make an Official tour of the Province between this and the end of March, and go to the West first, it will be out of my power to visit Cobourg at the time you mention, or much before the end of the Winter. Whenever I do come to Cobourg, I shall be willing to co-operate with you, as desired, as far as may be in my power.

2. I am glad to hear that you are getting on so well in the College ; but you have stated what I had feared as to the doings and success of the Scholarship Agency.

3. The number of Freshmen that matriculated in the Toronto University at the late commencement is six, and every one of the six, having a Scholarship and, therefore, not self-supporting, but supported by the funds of the University ! This is a pitiful result indeed from an Endowment of Nine thousand pounds, (£9,000,) per annum an Endowment which, I am assurred by the Chairman of the Endowment Board, (Mr. David Buchan), will ultimately amount to Eighteen thousand pounds, (£18,000,) per annum.

4. When I next see the Honourable Francis Hincks, Inspector General, I shall urge the opposite policy, in regard to Victoria and other Colleges, to that which has heretofore been the rule. . . .

Toronto, December 15th, 1851. Egerton Ryerson.

II. THE CHURCH (OF SCOTLAND), REPRESENTING QUEEN'S COLLEGE.

I. Proceedings of the Synod of the Presbyterian Church (of Scotland,) 1851.

July 2nd 1851. The Synod proceeded to the election of three Trustees for Queen's College at Kingston, in room of the Reverend Doctor Mathieson, the Reverend Doctor Cook, and the Reverend Robert Neill, who retire from office at this time, according to the terms of the Royal Charter of Queen's College, when the Reverend Alexander Mathieson, D. D., the Reverend John Cook, D. D., and the Reverend Robert Neill were unanimously re-elected, and their names placed at the top of the Roll ; and The Clerk was instructed to intimate the same to the Board of Trustees.

July 9th 1851. There was laid before the Synod a Report of the number and amount of congregational Collections made on behalf of the Funds of Queen's College during the past year, and, the same having been read and considered, the Synod, keeping in view that, at the last Meeting of Synod, it had been agreed that :—

The support of Queen's College shall henceforth be one of the permanent schemes of the Church, in aid of which collections shall be annually made in all the Congregations belonging to the Synod, and that Ministers do earnestly recommend the interest of Queen's College to their people, not only in regard to increasing its funds, but also in the way of promoting a larger attendance of students.

It was agreed to recommend anew to all their Ministers and Congregations that increased liberality be shown in regard to the Funds of this Institution.

There was presented to the Synod an application on behalf of the Trustees of Queen's College to the effect that, in case it should be found necessary to employ any of the Ministers of this Church in carrying on the work of instruction during the ensuing Session of Queen's College, leave of absence should be granted, to those Ministers for that purpose. The Synod instructed Presbyteries to grant leave of absence to such Ministers, for such time as may be necessary, and to take steps for the supply of their pulpits, - neighboring Presbyteries were requested to give assistance, as far as possible, in furnishing such supply. (Condensed.)

III. THE FREE PRESBYTERIAN CHURCH OF CANADA.

Proceedings of the Synod of the Free Presbyterian Church of Canada, 1851.

At a Meeting of the Synod of the Church, held at Kingston in 1851 the following educational proceedings took place.

1. The Synod called for the Report of the College Committee. The same was given in by the Reverend Doctor Willis, Principal of Knox College, and was read. An motion made and seconded, it was agreed to refer the Report to the Finance Committee

2. The Synod appointed as a Committee on Finance, Mr. Shaw, Convener, with instructions to report on the state of the Funds . . . for the past year, and to report also the Congregations that have failed to contribute to the Support of Knox College . . . for three years past, or such other period as they may see fit.

3. The Synod called for the Report of the Presbytery of Toronto on the Draft of a Bill for the Incorporation of Knox College, the Reverend Doctor Burns, on behalf of the Presbytery, reported that they had transmitted a Draft of the Bill to the several Presbyteries of the Church, requesting their observations on the same, and that they had, as yet received no Reports except from the Presbyteries of Hamilton and Montreal.

4. The Synod decided to enter on the consideration of the Draft of Bill, and the same was read and considered clause by clause. The Preamble, referring to the establishment of Knox College, and the necessity of its being incorporated, was agreed to.

Clause 1. Incorporating such parties as the Synod may name as the President and Council of Knox College, and restricting the annual income, above all charges of management, to Five Thousand pounds, (£5,000.) was agreed to.

Clause 2, Which enacts that the Professors shall be appointed by the Synod, or by any Body to which they may delegate the power, and that the Professors shall hold their offices *ad vitam aut culpam*, was agreed to with this alteration, videlicet, that the words " or by any Body to which they may delegate the power of appointment," shall be omitted, and also with the proviso, that, in the event of a vacancy occuring, the College Council may make what provision they deem best for the instruction of the Students until the next Meeting of Synod.

Clause 3, Which provided for the establishment of a College Council, to consist of all the permanent Professors, and twelve Members to be appointed by the Synod,—of whom six shall be Ministers and six Elders, or Members in full communion, seven being a quorum for the transaction of business ; two Ministers and two of the other assessor's, Elders, or Members, of the Church, (to retire annually, who may, however, be re-elected by the Synod ;) the senior Professor of Theology to be permanent President, was agreed to.

Clause 4, Which defines the powers and duties of the Council, was agreed to, with the exception that the salaries of the Professors shall be regulated by the Synod,—not by the Council.

Clause 5, Which declares the College to be a Theological College, and gives powers to confer Degrees of Divinity, and no other, was agreed to.

Clause 6, Which provides for the establishment of a Court, to be called the College Senate, or Professors' Court, was then taken into consideration, when it was moved by Mr. Macgregor, and seconded by the Reverend Mr. Bayne :—

1. That in addition to the Regular Professors of the College the Synod appoint five Assessors, of whom three shall be Ministers, two Elders, or Members of the Church, to sit and act with the Professors in the Professors' Court. It was moved in amendment by the Reverend Doctor Burns, seconded by Mr. Smith,—

2. that in the Professors' Court, the Professors shall be assisted by five Assessors, of whom three shall be Ministers, to be named by the Synod, and by such honorary Professors, as the Synod may see meet, from time to time, to name for particular departments.

The roll was called and the votes marked, when there voted for Mr. Macgregor's motion twenty-three and for Dr. Burns', seventeen. The Synod accordingly resolved in terms of Mr. Macgregor's motion . . .

With this alteration, and the omission of the word " tutors " the clause was agreed to.

Clause 7, Which gives power of Visitation to the Synod was agreed to.

Clause 8, Which refers to the manner in which the College property shall be held, was referred to a Committee, consisting of Doctor Burns, Convener, and six other Members of Synod. The remaining Clause was thereafter agreed to.

The Synod resumed consideration of the Report of Committee on the Eighth Clause of the Act for the Incorporation of Knox College, when it was agreed to refer that matter to Presbyteries, with instructions to them to take steps for obtaining the views of the Congregations within their bounds, as to the provisions for securing the property of Knox College, and Report before next Meeting of Synod.

Reasons of dissent from the decision of the Synod on the Sixth Clause of the draft of the Act for Incorporating Knox College were given in by Doctor Burns. The same were read, and ordered to be entered in the Record of Dissents.

The Synod appointed a large Committee of nineteen Members together with the Professors,—Doctor Willis, Convener to superintend Knox College during the current year.

NOTE —The foregoing record of proceedings of Synod is largely condensed.

CHAPTER VIII.

THE SEPARATE SCHOOL QUESTION IN 1851.

Apparently preliminary to the protracted and voluminous Correspondence on Separate Schools which took place in 1852, several matters relating to these Schools was discussed in the following Correspondence. I give the more important Letters on the subject in chronological order :—

I. From the School Trustees of Toronto to Mr. Attorney General Baldwin.

The Roman Catholics of Toronto, wish to obtain a division of the School Monies, for the purpose of establishing Separate Schools, the School Trustees, therefore, appointed a Committee to obtain the opinion on the subject of Attorney-General Baldwin:

Query. As to whether, upon the application of Roman Catholics, the Board were compelled to establish a Roman Catholic School in each School section, without any regard to their own opinion.

II. Reply to the foregoing Query by the Honourable Attorney General Baldwin.

In reply to your letter of the 30th ultimo, I beg to state:—

1. That after comparing carefully the several Acts from 1841 to the present time, it appears difficult. if not wholly impossible, to reconcile the terms used in the Ninteenth Section of the School Act of 1850, (13th and 14th Victoria, Chapter 48,) with an intention of leaving the Trustees no discretion as to the number of Separate Schools in the Town, or City, of which they are the Trustee Board, and yet, such appears, upon the whole, to be the legal effect of its provisions,—except so far, indeed, as such discretion may be exercised in deciding whether there should be one, or more, Separate Schools in the same School Section.

2. I should think, however, that in such a case, an arrangement, meeting the views of the different interests concerned, would not be an injudicious course to adopt, as, until a judicial decision shall have settled the construction to be put upon the Act in this particular, there is perhaps almost as great a probability of one view of the subject being taken as of the other.

3. While, therefore, I have above stated the best opinion I have been able to form upon the point, I have, in compliance with the wish expressed in our personal conference, added this suggestion, as one that might, if acted upon, in accordance with the general spirit of the Act, prevent the injurious consequences you apprehend.

Toronto, 3rd January, 1851. Robert Baldwin

III. Letter of the Chief Superintendent, stating that Separate Schools were first authorized by the Legislature in 1841.

In the early contests of 1850-1852, in regard to Separate Schools in Upper Canada, it was frequently asserted that the first legal enactment, in favour of Separate Schools in the Province, was the passage of the Nineteenth Section of the Common School Act of 1850. In the following Letter, the Chief Superintendent points out that the Separate Schools of Upper Canada were first authorized in the General School Act of 1841, and again, so far as Upper Canada was concerned, in the School Act of 1843, which was made to apply specifically to Upper Canada alone. In his Letter to *The Globe* newspaper of the 22nd of July, 1851, Doctor Ryerson said :

1. In the Globe of the last two days, I observe erroneous statements respecting what you term the Sectarian (19th.) clause of the Common School Act. You say :—

When the present party came into power, the Common School System was free from sectarian elements, but they introduced the wedge which threatens to destroy the whole fabric. We think Mr, Hincks should have flung up his office rather than submit,—but he saw his duty otherwise, and

the 19th clause of the Act was accepted, to the shame of a Reform Ministry and the serious, if not fatal, injury of our Upper Canada School System.

2. By these statements and many others of the same kind, you represent the provision for Separate Protestant and Roman Catholic Schools, in certain cases, as of recent introduction and peculiar to the present School Act; when it is a fact, of which it is singular that you should be so misinformed, that that same provision was first introduced into the School Bill of 1841, brought in and conducted through the Legislative Assembly by the Honourable Samuel B. Harrison, and under the auspices of an Administration, of which Mr. Francis Hincks was a Member ; that the same provision was introduced by Mr. Hincks in his School Bill of 1843, under the sanction of the Administration formed under Sir Charles Bagot ; that the same provision, in the same words, was retained in the School Bill which the Honourable W. H. (now Judge) Draper introduced in 1846. The provision, therefore, which you represent as new and "fatal" has existed from the beginning of the present School system in 1841—now ten years—was formally introduced by the Reform Government of 1843, which you have for years supported ; was concurred in by the same Gentlemen when they were in opposition, and when you likewise supported them in 1846, at the time it was brought forward by the leading Gentleman of the Conservative party.*

3. The difference between the provisions of the Common School Acts of 1841, 1843, 1846, and the present Act of 1850, is this:—under those Acts, Cities and Towns, as well as Townships, were divided into " School Sections," in each of which, on the requistion of ten house-holders, a Separate School could be demanded. As the City of Toronto was then divided into sixteen School Sections, there could, of course, have been as many Separate Schools, as Sections, had parties chosen to claim them. You are aware, however, that now Cities and Towns constitute each but one School Municipality under the present law. If certain parties, therefore, have desired the privilege of having Separate Schools in certain circumstances, they desire no more than they have enjoyed, to a greater extent than at present during the last ten years, and that, by the aid of the party of which *The Globe* has been a supporter, as well as by the Conservative party.

4. I have, on more than one occasion, expressed my opinion as to a System of Separate Schools; but I have, at the same time, thought it the right of each municipality, (rather than the Legislature, or Government), to decide for itself on this matter, according to its own wishes and circumstances. It would as ill become me, as it is strange to see *The Globe* seek, to deprive Roman Catholics, or Protestants, of a privilege which has been secured to them by successive Acts of the Canadian Legislature since 1841, and passed under the auspices, and by the entire support, of both political parties. Though there are upwards of 3,000 Common Schools in Upper Canada, there might, therefore, be nearly as many Separate Schools. There are however, but forty-five of them in all of Upper Canada. Of those, there are about as many Protestant, as Roman Catholic, Separate Schools. Almost invariably, where the majority of the inhabitants of a School Section are Roman Catholics, and employ a Roman Catholic Teacher, the Protestants of such Section insist upon having a Separate School. It is often difficult for a Roman Catholic Teacher to get a School in a Protestant School Section and, in many instances, when he has been employed by Protestant Trustees, a portion of their School Section have demanded a Separate School upon the ground of the Teacher being a Roman Catholic.

5. The feeling which gives rise, in most cases, to a desire for a Separate School, like that arising from difference of colour, cannot be extinguished by Act of Parliament, but by other influences, which I am happy to know, led to the gradual decline of this description of Schools, until the recent policy was pursued by certain newspapers to revive feelings of hostility between Roman Catholics and Protestants. Though Separate Schools are permitted, they are not placed in the same position as "Mixed Schools," and can only be sustained by special exertions and sacrifices on the part of their supporters, who are equally taxed, with all other classes of their neighbours for the erection, furnishing and all other expenses of the Mixed School, or Schools, and who, in addition, have to provide their own School-house and all incidental expenses of their School, as well as the balance of the Teacher's salary, by voluntary subscriptions among themselves. These Schools only receive a portion of the School Fund, according to the average attendance of pupils, towards the making up, in part, of their Teacher's salary. But though I have no apprehension, of danger to our School System,—from the spread of Separate Schools, I am unwilling that the statement of their having commenced with the present School Act of 1850 should go forth uncontradicted.

6. Your attack on the appointment of one Roman Catholic in a Council of Public Instruction of nine,—the other eight being Protestants,—seems to accord strangely with your advocacy of a "Mixed System of Schools," and of "equal rights and privileges amongst all Religious

* The Origin of Separate Schools and the immediate cause of their introduction, as part of our General School System in Upper Canada, is, on the authority of Sir Francis Hincks and other Members of the Legislature of Upper Canada at the time, fully set forth and explained in Chapters III-VI of " *The Legislation and History of Separate Schools in Upper Canada*", published by Doctor William Briggs, Toronto, in 1897.

Persuasions." The Roman Catholic Church could not be more appropriately represented in the Council of Public Instruction than by its Chief Pastor, the successor in the Council of the late Bishop Power, who was a most active and efficient Member, until he suddenly fell a sacrifice to his labours among the poor and diseased emigrants of his Church, who came to this Country in 1849. Neither the late, nor the present, Government has placed a Roman Catholic Bishop "at the head of the Board of Instruction," but, I am sure I speak the sentiment of all parties concerned, when I say, that there has been the most perfect harmony and kindly feeling between the Roman Catholic Bishops in succession and all the other Members of the Council of Public Instruction.

TORONTO, July 22nd, 1851. EGERTON RYERSON.

IV. LETTER FROM THE CHIEF SUPERINTENDENT OF EDUCATION TO MEMBERS OF THE GOVERNMENT ON THE SEPARATE SCHOOL QUESTION.

From the preliminary Correspondence between Doctor Ryerson and the advocates of Separate Schools in Upper Canada, which took place in 1851, he foresaw that a prolonged controversy on the subject was impending. He, therefore, thought it best to place before two important Members of the Government of the day his views on the subject. This he did in the following Letter, addressed to the Honourables Francis Hincks and Doctor John Rolph:—

I have thought it well, (under present circumstances,) to place the question of Separate Schools in Upper Canada before you in writing.

2. When the School Bill of 1850 was prepared last Session of the Legislature, it was intended to leave the question of Separate Schools to each Township Council in country places, and to each Board of School Trustees in every City, Town and Incorporated Village, and not to the applicant parties. When the High Church party set on foot an intrigue with the Roman Catholics to subvert the system of Public Schools altogether, the Nineteenth Section of that Bill was modified with a view to counteract this intrigue, and by placing the parties of Roman Catholics, or Protestants, desiring Separate Schools, in the same position that they were in under the former School Acts of the Province. This was all that the representative Roman Catholics of the day asked for, as far as they were concerned.* But the Fourteenth Section of the Act has received from the Judges a more stringent interpretation than was intended in the preparation of it, or than was understood by any party at the time of passing it: and the Board of Trustees in this City have availed themselves of it.† What is proposed by the short [Remedial] Bill, which I gave you, is to place the Roman Catholics and Protestants in the same position in Cities and Towns, in respect to Separate Schools, that they were placed by the Acts of 1843 and 1846,§ with this exception, that they could then demand a Separate School in each School Section, (and there were sixteen School Sections in Toronto), whereas the proposed Remedial Bill only gives the privilege, if they desire it, of having one in each Ward.

3. The proposed "Remedial Bill" does not apply to Counties, or Townships, but only to Cities and Towns; and its practical application will not extend beyond the three Cities. I am persuaded it will be of no special advantage to the Roman Catholics, as I have told them; nor can it be of any injury to the Public Schools. As Free Schools are becoming the "order of the day" in each of the Cities and Towns, Separate Schools, (from their additional cost to their supporters), cannot exist beside them; and the separating parties will eventually be compelled to give them up and come into the Mixed Schools, in less advantageous circumstances than if they were at once to avow the principle of Mixed Schools and ask consideration of their sentiments in the employment of a portion of the Teachers. Nor will they be able to demand a Separate School in any one, or more, Wards of a City, or Town, unless the Teacher employed by the Trustees is of a different faith from theirs.

4. Yet the Roman Catholics make a point of this question; and they have the advantage as it involves what they once enjoyed, what was intended to be given them in the new "Remedial Act", what has never produced any practical injury, and what only relates to Cities and Towns. The question can now be settled without any injury to the School System;

* The incident of this "intrigue" is narrated by Doctor Ryerson in an extract from a Letter, written by him, and reprinted on page 25 of the Ninth Volume of this Documentary History.

† This Section will be found on page 36 of the same Ninth Volume.

§ The Common School Act of 1843 is printed on pages 251-262 of the Fourth Volume of this Documentary History, and that of 1846 on pages 59-70 of Volume Six of the same History. The "Remedial Bill," here spoken of, will be found, on page 250 of the Ninth Volume of the same History.

but, if it be deferred, the demands of the Roman Catholics, (as you know from the Letters which I showed you,) will be increased,—increased to such an extent, that you and your friends cannot concede them ; and then a coalition will be formed between the Roman Catholics and the High Church party, and which you may be sure will have reference to the University, as well as to the Elementary Schools and, of course, to the Clergy Reserves. But by settling this really small affair now, you prevent any such coalition, and you strengthen the bond of union between the Roman Catholic Members of Lower Canada and yourselves in Upper Canada.

Toronto, 1st August, 1851. Egerton Ryerson.

V. Church of England Separate Schools Advocated by Bishop Strachan, 1851.

At the first Synodical Meeting of Members of the Church of England in Canada, held in Toronto in May, 1851, the Bishop delivered an elaborate "Charge," a large portion of which was devoted to a criticism of the Public School System of Upper Canada, and an urgent appeal to the Members of his Church to seek to obtain from the Legislature the same right to establish Church of England Separate Schools, as was then, by law, granted to the Roman Catholics. In his Charge, the Bishop said :—

There are two extremes in public education : the one is where every child is considered the child of the state, and is educated without any regard to the wishes and views of the parents ; the other is where the state pays no regard whatever to the matter, but leaves the parents to give their children education, or not, as they please.

2. In this Province, the system adopted cannot with accuracy be said to come under either of these two. Schools are established throughout the Province, and worked by a very complicated machinery ; but, not being based on a recognition of the Scriptures, cannot possess God's blessing.

3. It is, however, but justice to say, that the Provincial Normal School, since its first establishment, has been conducted with ability and success ; and, where it has failed, it has not been the fault of the Teachers, but of the principle on which it rests. It may further be remarked that the Chief Superintendent has been diligent in his office and seems to have done all that the law permitted to introduce something of Religious feeling and knowledge, by adopting the Books made use of by the Irish Board of Education. So far, therefore, he deserves commendation, and, indeed, what is wanting in the System is not to be attributed to him.

4. It is, nevertheless, such a System of Education as would not to be permitted to exist for one day in Great Britain. And why ? Because civil and religious liberty are well known and defined in the Parent State, and education is reduced to principle. Hence all Religious Persuasions receive equal assistance from the Government in educating their youth. No damper is thrown upon their peculiar opinions ; the children are not in this matter separated from their parents.

5. To take away the power of the parents to judge and direct the education of their children, which is their natural privilege from God, as our Elementary Schools virtually do, will never be allowed in Great Britain.

6. There, money is advanced to assist and support Schools in connexion with every Religious Denomination ; and the Government is restrained from all interference with the Religious Instruction, discipline, or management of such Schools : there we have true liberty ; gold, and not alloy. But, in this Province, it is not so much as acknowledged in our School Law. The Bible appears not among our School-books ; and a belief in Christianity is not included among the qualifications of School Masters ; and I am credibly informed that there have been instances of Candidates for Schools disavowing all religious belief.

7. Now the remedy is with you, my Brethren of the Clergy and Laity. We must insist upon the correction of this intolerable degradation, or our Children will become infidels. We must demand what the Roman Catholic have already obtained,—Separate Schools ; and I honour them for insisting on this just concession. A request so reasonable cannot be long withheld from us, for unjust class legislation cannot endure long in any Country.

8. In Great Britain, the National Society represents the Church of England Schools ; the British and Foreign Society represents various Dissenters ; the Wesleyan Body, with the Free Church of Scotland, represent their several Denominations, All are in correspondence with

the Committee of Council on Education, and receive assistance in the maintenance of their Schools, and all proceed in educating their children in their own way, in harmony and in peace; and why is not the same Christian justice dealt out to us here in Canada?

9. It is indeed surprising, that this Educational System, which ought to have been, from time to time, carefully considered by the framers of the School Acts for this Province, since it offers so very easy a solution of the problem of suiting education to a mixed Religious population, should have been neglected; the more especially as it will be very easy to modify our laws, so as to work exactly as they do in the English System.

10. All that is wanting is, to give powers to the different School Trustee Boards, or Authorities, to grant Separate Schools, as they now do to the Roman Catholics, to all localities desiring them, and furnishing a reasonable number of scholars.

11. Not that this can perhaps be done without opposition from the irreligious, but they are few in number; and we do not again expect the Roman Catholics in the Legislature so far to neglect the true principles of the constitution as to sieze upon privileges for their own benefit which they refuse to others. The continuance of such a course will have a melancholy end, for it would be better for Protestants to perish than to submit to such oppression much longer, to look passively on while their children are brought up in Popery, or infidelity.

12. As to any opposition from other parties, if left to itself, it would appear in its true colours, altogether contemptible, because it would be seen to be the emanation of the most narrow selfishnes, which allows of nothing unless it accords with preconceived notions; and, as they have no Religious principles themselves, their desire is to crush such principles in others.

13. We must, therefore, petition the Legislature for Church of England Separate Schools. In the meantime, it will be our duty to establish a Church School at every Church, or Station, in the Parishes, and also a Sunday School, both of which to be under the care of the resident Clergyman, whose duty it will be to see that the instruction is on the Church system, upon which she speaks most decidedly. Whenever she treats of education, she means catechising as the principal part. This she takes as her standard from the practice of the primitive Churches.

14. Now this must be carried out as she directs, for the benefit of her baptized children, and of this education the baptismal promises and preparation for Confirmation form an important and necessary part.

15. The whole arrangement depends upon you, my Bretheren, and you must give your personal attention to commence and keep it in motion. You must never forget that you are the Commissioned Instructors of the children of God's Holy Catholic Church, who are to lead them from Baptism to Confirmation; from Confirmation, to their first Communion; and from that, to the Bar of God.

16. Compared to this all other instruction is worthless; but such is the capacity of youth, under proper discipline, that with all this they may be made to surpass in every kind of secular knowledge those of the same age, who are brought up ignorant of the Gospel and its Holy requirements.

17. Hitherto our people have not perceived the tendency of the present School System. They are apt to think, that, because some of the Books consist of partial portions of Scripture, there is some Religion taught. But our Religion must be taught systematically by its great Doctrines and Creeds, as it has ever been, proving them by Holy Scripture, and thus giving them unction, power and life. In this way the young Christian drinks conviction from the first fountain of eternal truth, and finds, with lively satisfaction, that every word which has been taught him by the Church has the sanction of the pure Gospel.

At the close of the Bishop's Address, it was Moved by the Reverend E. J. Boswell, of Williamsburgh, seconded by Mr. Laurence Lawrason, of London.

"That this Meeting desires to express it sense of the paramount duty of connecting Religion with Secular Education; and, in order to carry out this obligation, they deem it to be necessary to petition the Colonial Legislature to permit the establishment of Church of England Separate Schools; and that the assessments ordinarily paid by Churchman for the support of Common Schools be applied to the maintenance of such as are in connection with the Church of England here, where such appropriation is practicable and desired; and that the Committee appointed be empowered to draft the Petition." Carried unanimously.

CHAPTER IX.

EDUCATIONAL PROCEEDINGS OF VARIOUS COUNTY MUNICIPAL COUNCILS, 1851.

1. The United Counties of Wentworth and Halton.

On Motion, it was resolved that a Committee be appointed to prepare a draft Memorial to the Legislature on the subject of School Law Amendment. . . .

The Committee brought in their First Report, which was adopted as follows :—

1. Your Committee are of opinion that the present Common School Law of 1850 is highly objectionable in many respects, and would respectfully recommend that a Memorial be presented to the Legislature during the next Session, praying that the following amendments may be made to that Law :

1st.—That the power of appointing Common School Superintendents be vested in the several Township, Town, and Village Municipalities.

2nd.—That such Superintendents, instead of School Trustees, have the power of selecting School Books.

3rd.—That the office of Chief Superintendent of Education be abolished, and that the powers vested in him be conferred on the Council of Public Instruction.

4th.—That no Religious distinction, as provided by the Nineteenth Section of the said Act, be permitted, as, in the opinion of your Committee, sectarian Education can only be productive of animosity and discord. . . .

2. That, in the opinion of your Committee, it is expedient that at the next Session of the County Council, the Reeves and Deputy Reeves shall, after consulting the Municipalities which they represent, report to this Council the names of those persons whom they consider eligible for the offices of Superintendents of Common Schools. . . .

Pursuant to order, an engrossed Memorial to the Honourable the Legislative Assembly, on the subject of Common Schools was brought up by the Chairman of the Education Committee and passed, as follows :—

To the Honourable the Legislative Assembly of the Province of Canada :

The Memorial of the Municipal Council of the United Counties of Wentworth and Halton,

Respectfully Sheweth,—

1. That your Memorialists are of opinion that the present Common School Law of 1850 is objectionable in many respects ; and your Memorialists are of opinion that the educational interests of Canada require that several alterations be made in that law.

2. Your Memorialists would, therefore, pray, that the power of appointing Common School Superintendents be vested in the several Township, Town, and Village Municipalities, and the right of selecting School Books be given to such Superintendents.

3. Your Memorialists would further pray that the Office of Chief Superintendent of Education should be abolished, and that the authority conferred on him be vested in the Council of Public Instruction.

Your Memorialists would further pray that no Religious distinction, as provided by the Nineteenth Section of the said Act, be permitted, as, in the opinion of your Memorialists, sectarian Education can only be productive of animosity and discord.

And your Memorialists, as in duty bound, will ever pray.

Hamilton, 30th January, 1851. Robert Spence, Warden.

The Committee brought in their Second Report, which was adopted, as follows :—

. . . 1. In reference to the working of Common School Education, generally, your Committee feel themselves called upon to state, that they hail the present movement in numerous sections of this County, in regard to the establishment of Free Schools therein, as indicative of a decided melioration in the tone of the public mind, in its appreciation of this sound and enlightened mode of rendering the blessings and benefits of education available to all. And your Committee have no doubt, that the result,—provided that the system be fairly

and candidly, and to a commensurate extent perseveringly carried out,—will be that a salutary and satisfactory position in regard to these matters, will be speedily attained.

2. On the particular subject of the present School Act, your Committee have observed that those alternating vicissitudes of improvement and retrogression, incidental, or consequent, upon the introduction of all new and important Acts of the Legislature, bearing on great questions, have taken effect in the present instance in various parts of the County. In some places the Schools have become improved, and rendered more efficient, whilst in others, they have been comparatively, or wholly deserted. One thing is certain, and that is, that a very great number of School Teachers have been (properly, or improperly, is beside the question,) rejected and perhaps thrown out of employment ; the means to supply whose places is not easily to be found, but may perhaps in a measure, be met by the adoption by the County Board of the suggestions in regard to Teachers, embodied in the Report of your Committee of 31st ultimo.

The Warden of the United Counties, in his Address to the Council at its June Session thus called the attention of the Council to its duties, under the School Act of 1850, in terms of the Circular of the Chief Superintendent on the subject to the Clerk of the Counties.* He said :—

1. Under the provisions of the New School Act of 1850, (13th and 14th Victoria Chapter 48), Section 17, you are required to cause to be levied upon the several Townships of the County Municipality, for payments of Teachers salaries, a sum at least equal, clear of all charges of collection, to the apportionment from the Legislative School Grant. In the discretion of the Council, this sum may be increased for special purposes connected with School interests, but cannot be, in any case, less than the appointment . . .

2. The duty of levying the equivalent in the Towns and Villages, devolves upon their respective Councils . . . The amount apportioned to the Township Municipalities will be paid by the Receiver General to the County Treasurer, that to each of the Towns and Villages to the Treasurers respectively, or to their Attorneys, duly accredited at Toronto.

3. I have been requested by Mr. J. G. Hodgins, Deputy Superintendent of Education to direct your attention to the Thirty-first Section of the School Act, of 1850, with a view to an expression of opinion on your part as the mode most desirable to adopt in the distribution of the School Grant. By the Section of the Act just recited, the average attendance of pupils at School, as compared with the whole average number attending the Township Schools, is made to be the basis of apportionment, subject, however, to the approval of the Chief Superintendent of Education. The choice lies between this mode and that of apportionment according to the School population returns of the previous year.

4. This subject is one of no small importance, and as your wishes will guide the Local Superintendents as to the mode of apportionment to the various School Sections, I trust that you may be enabled to arrive at such a decision as will prove the best calculated to stimulate School enterprise, and secure the largest possible attendance of pupils at the Common Schools throughout the United Counties of Wentworth and Halton.

5. As the County Treasurer is required by the School Act to pay the orders of Local Superintendents in favour of all qualified Teachers, whether the local Treasurers, or Collectors, have paid in that portion of the School fund levied on their Townships, or not, it will be necessary that you adopt such measures as will have the effect of enabling your Treasurer to be in possession of the County School Funds in time to meet such demands. Should the County Treasurer, through any neglect on the part of others, be compelled to draw upon the general funds of the County for purposes not contemplated in the pecuniary arrangements of the year, serious inconvenience must be the necessary result.

6. Under the requirements of the same School Law, it will be your duty to appoint a Local Superintendent of Schools for the whole United Counties,—or one for any number of Townships as you may judge expedient, provided that no one Superintendent shall, as provided by law, have charge of more than one hundred Schools. It is further provided in the School Act that each Local Superintendent of Schools shall be entitled to receive annually not less than One Pound per annum for each School placed under his charge, to be paid quarterly by the County Treasurer. For the sum necessary to defray this charge provision must be made in the County Estimates of the current year.

7. By the Fourth and Fifth clauses of the Twenty-seventh Section of the School Act, it appears to have been the intention of the Legislature to keep entirely distinct from the ordinary funds of the County, all School monies, and to separate from the duties of the County Audi-

*This Circular will be found on pages 49-57 of this Volume.

tors those pertaining to School Accounts. If this interpretation be correct, it will be your duty to require sufficient security from all Officers within the County, to whom School funds may be entrusted,—apart from such security as they may already have given for the faithful discharge of their ordinary duties, and also that you appoint at least two Auditors of School Accounts.

8. By the Section of the School Act, constituting the Grammar School Trustees and the Local Superintendents a County Board of Public Instruction, for the licensing of Teachers, authority is given to the County Council to divide the County into as many School Circuits as there are Grammar Schools therein. It is further provided, that the incidental expenses of the County Board of Public Instruction shall be provided by the County Council. I think it necessary that there be an expression of your opinion as to the course to be taken by the Treasurer, on any requisition of the County Board of Public Instruction after he knows the amount likely to be required by the Board, in order that it be included in the Estimates.

In the Council a motion was made and seconded, that a Special Committee be appointed to draft a Memorial, to be presented to the Provincial Legislature, praying that the present School Bill may be repealed, and that a proper dividend of the Common School fund be made to the different Municipalities of the Province, for the support of Education, with powers to enact By-laws for the establishment and maintenance of Schools within their different Municipalities. This motion was negatived by a vote of 18 to 2.

Report of the Standing Committee on Education.

Your Committee cannot recommend the prayer of the petition of the Superintendent of Education for Ancaster, for an increase of Salary. . . .

Your Committee would further recommend, that no Superintendent of Education be paid his salary until satisfactory evidence has been given to the Warden that his duty has been discharged, in conformity to law, which provides that he shall visit each School under his charge at least once in each Quarter. Your Committee recommend that, in any case, where this duty has not been performed, a correspondent sum should only be paid according to the number of visits made by him to each School.

HAMILTON, November 13th, 1851. JOHN WILLIAMSON, Chairman.

II. UNITED COUNTIES OF YORK AND PEEL, 1851.

Report of the Standing Committee on Education :—

Your Committee have had under their Consideration the following Communications :—

(1) From Mr. Elliot, County Clerk, relative to the donation of a work on School Architecture from the Chief Superintendent of Education, and a similar donation from the Honourable J.E. Irving, of the Journals of the Legislative Council, for the Library of this Council.

2. A Communication from the Warden of the united Counties of Stormont, Dundas and Glengarry, enclosing copies of the Memorial to the Legislature, adopted by that Council, relative to certain suggested alterations in the present School Act . . .

3. With regard to Communication Number one, your Committee fully appreciate the value of the works donated by the Chief Superintendent of Education and the Honourable J.E. Irving, and recommend that the thanks of the Council be accorded therefor to these Gentlemen.

4. In regard to the suggestions contained in the Petition of the United Counties of Stormont, Dundas and Glengarry. Your Committee state their acquiescence in the views set forth in that Memorial, relative to the mode of distribution of the School Funds, and have embodied the same in the annexed Petition.

. . . Your Committee would remark on the subject of the Local Superintendents, that they believe that a change in the tenure of their office by those Gentleman, so as to render their situation a little less precarious, by rendering it dependent upon the pleasure of the County Council, instead of being subject to annual appointment by that Body, would tend to insure the continuance by them of the zeal and assiduity which they have manifested in their vocation, to the evident advantage of the Schools under their supervision. Your Committee have accordingly introduced the subject into the document before alluded to.

TORONTO, 24th, June, 1851. J. W. GAMBLE, Chairman.

Petition of the United Counties of York and Peel to the Legislature, 1851.

The Petition to the Legislature of Upper Canada of the Council of the United Counties of York and Peel on the Common School Act of 1850, *Respectfully Sheweth* :—

1. That the position which the Member of the Council occupy, in regard to the Educational interests of their Constituents, has enabled Your Petitioners to observe with attention the results consequent upon the introduction of the Common School Act of 1850, 13th and 14th Victoria, Chapter 48, which is now in operation. In so doing, it is with regret that your Petitioners find that several of its provisions, although evidently intended to be beneficial, practically obstruct its legitimate operation and detract from its general and due appreciation.

2. With a view to conduce to the removal of the difficulties above referred to, your Petitioners beg leave to submit to the serious consideration of your Honourable House the following suggestions ; and, in doing so, would first refer to Section Twenty-eight of the said School Act, under the provisions of which the Council of these Counties has to bear the whole expense attendant upon the examination of Teachers, from which Cities, situated within the limits of School Circuits, (as an instance the City of Toronto,) derive a proportionate benefit. Your Petitioner would, in such cases, pray your Honourable House to make it imperative upon such Cities to pay a just proportion of expenses thus incurred in providing certificated Teachers for such Circuits.

3. Your Petitioners would likewise respectfully submit to your Honourable House the consideration, whether the Local Superintendents generally would not, in all probability, be induced to discharge their duties with greater zeal and assiduity were their tenure of office made dependant upon the pleasure of the County Councils, rather than being subject to an annual appointment by those Bodies, pursuant to the provisions of Section Twenty-seven, Sub-section three of the School Act.

4. Your Petitioners also feel desirsous that the mode of distribution of the School Fund to the several School Sections should be in accordance with that prescribed by the repealed Act of 1846, 9th Victoria, Chapter 20*—that is, according to the number of children between the ages of five and sixteen years inhabiting such Sections, as compared with the number of such children resident within any Township, and not according to the average attendance in the Schools, as provided in the present Act of 1850.‡

5. But the primary object to which Your Petitioners would humbly desire to invite the serious consideration of your Honourable House is the provision for the establishment of Separate Schools for Roman Catholics, or Protestant localities by Section Nineteen of the School Act. This provision your Petitioners humbly, but most decidedly, deprecate as injurious and baneful in the extreme to the otherwise progressively harmonizing effects of generally diffused education. If, as your Petitioners most respectfully submit, such concessions be consonant with, and due to those classes, all Denominations will probably apply for, and reasonably expect to be invested with like privileges, and, in the event of concurrence therewith the results in the opinion of your Petitioners would be, the prostration of the education of the people at the shrine of religious sectarianism in the first place ; the fostering and dissemination of unamiable feelings in society, arising from the early separation and consequent estrangement of the youth of the Country in the second place ; and thirdly, the exhibition of Common School Education not in a position in which it is appreciated on its own intrinsic merits alone, but is estimated chiefly, or merly as a means to conduce to the prevalence, or propogation, of the peculiar tenets, or opinions, of contending, or discordant sects, or imaginary divided interests, inducing, in the end a state of things, which, by causing depreciation in the value now beginning to be set on Public Education in the mind of the community, would eventually dissipate or destroy the bright prospects of melioration in carrying out this great object, which have been so earnestly and anxiously anticipated by the Country.

6. Your Petitioners assure your Honourable House that, in the event of your concurrence in the views and objects herein recited, a proportionate degree of satisfaction would be induced, which would materially diminish the effects of any influence, which might, at any time be exerted adverse to the interest of the important subject of this Petition, the education of the community.

Toronto, 24th June, 1851. Franklin Jacques, Warden.

*The School Act of 1846 is printed on pages 59-70 of the Sixth Volume of this Documentary History.

‡The Chief Superintendent fully discussed this question in his Circular on pages 46-48 of this Volume.

CHAPTER X.

PRELIMINARY STEPS TAKEN TO SUPPLY SCHOOL LIBRARIES, 1851.

Under the authority of the Forty-first Section of the School Act of 1850, the sum of Three thousand pounds, (£3,000=$12,000,) were set apart "for the establishment and support of School Libraries."

With a view to provide facilities for the supply of suitable Books for these proposed Libraries, the Chief Superintendent of Education made an official visit to the United States and Great Britain, with a view to make arrangements, and to provide facilities, for obtaining suitable Books for the proposed Libraries at reduced rates.

As no official record of this official visit of Doctor Ryerson to the United States and Britain had been prepared, I have collated from various personal Letters, which he wrote, from time to time, to myself, such an account of his proceedings as form a consecutive and connected narrative.

The Chief Superintendent left Toronto on this mission on the 8th of October, 1850. On the 16th he wrote to me from Boston as follows:—

At New York I arranged with a Stereotyper for a stereotyped form of the headings, etcetera, of a Daily School Register. . . . While at Providence and Boston I was able to get fifty copies of the "Rules and Regulations for the organization and Government of Schools in those Cities. You will please distribute them to the Cities and Towns as far as they will go. I, after arranging other matters, made a visit to Harvard University, and had a good deal of conversation with the Honourable Edward Everett and some of the Professors there. . . . Several of them are Authors whose works I had seen. One of them is the Editor of the *North American Review.*

I never met a more able and practical man than Doctor Sears, the Secretary of the Massachusetts Board of Education. . . . He, and the Reverend Doctor Wayland, of Brown University, Rhode Island, think that our System of Schools, or rather our School Law, and the manner in which we propose to carry it into effect, is superior to anything of the kind in the United States. . . .

While in London, Doctor Ryerson made arrangements with the Colonial Office to obtain like facilities as it possessed for the supply of such of the Books as were suitable for our purpose and, also such as were furnished to Schools in England through the Privy Council Committee on Education.

At his interview with Earl Grey, the Colonial Secretary, and Mr. (afterwards Sir) Benjamin Hawes, Under Secretary, they expressed a great desire to know more about the Upper Canadian General System of Education. Doctor Ryerson on his arrival in Paris therefore, wrote to Mr. Hawes the following Letter, dated January 10th, 1851:—

1. I am induced, by the interest which both Lord Grey and yourself have shown in the University Question and School affairs of Upper Canada, to enclose you a Letter which I have received since I came to Paris from Mr. Hodgins, the Senior Clerk in my Office,—who acts as my Deputy during my absence.

2. The only parts of the Letter that will be intelligible to you are on the second and third pages. Lord Grey, as well as yourself, will, I think, feel gratified at seeing, from an unofficial

source, so satisfactory an account of the prospects of the Canadian University of Toronto, as also the educational spirit of the Roman Catholic Bishop. The Mr. Lillie referred to is the Principal and Theological Professor of the Congregational Academy for Upper Canada.

3. From the third page of the enclosed Letter, you can form some idea of our doings and prospects in the great work of Popular Education in Upper Canada. I will thank you to let me have this Letter on my return to London, about the latter part of the month.*

I saw Cardinal Wiseman on the strength of your kind Note of introduction. He appeared to be pleased with the compliment which my call involved,—invited me to hospitalities, which I think it would not be prudent for me to accept, and promised to have a list of popular, (but not Denominational,) Reading Books, prepared and the Books selected for my inspection, on my return to London. ‡ . . .

PARIS, 10th January, 1851. EGERTON RYERSON.

In a Letter to me, dated Paris, January, 29th, 1851, Doctor Ryerson said :—

I hope to turn my present visit greatly to account in promoting Education and knowledge in Upper Canada.

I am more and more impressed with the immense facilities we possess and with the vastness of the prospects before us, and what we can accomplish by prudence and exertion. The more I see and know of other Countries the more I love to confide in my own.

I am gratified in learning the attention which Mr. Baldwin has given to your inquiries. I wrote, a fortnight since, a long, narrative and practical Letter to Mr. Hincks—not official,—but stating what I had done, and what I had thought of doing in regard to several matters. I am glad to hear from you that a beginning has been made in the affairs of the University.

To this Letter from Doctor Ryerson to Mr. Hincks, that Gentleman wrote to him as follows:—

I am this day only, favoured with your very interesting letter from Paris, for which I am much obliged. . . . My immediate object is to say, that you should, by all means, wait for the London Exhibition of 1851. Parliament is not likely to meet before May, so that you will have time enough to do as you propose, and your stay may be very advantageous in many ways . . . Here, we have no particular news. I have been about the Amnesty Bill at Washington. There are hopes ; but, owing to the short Session, it is difficult to get the question up. All is going on well in the Office . . .

TORONTO, 11 February, 1851. FRANCIS HINCKS.

From subsequent London Letters received from the Reverend Doctor Ryerson, in March, 1851, I select the following extracts relating to the objects of his mission ;—

I have nearly succeeded in completing the arrangements with Her Majesty's Privy Council Committee on Education to obtain Books, Maps, etcetera, for Upper Canada, upon the same terms as those upon which the Committee have arranged with the Publishers to supply the Schools aided by the Parliamentary Grant. To effect this arrangement the Secretary of the Privy Council Committee has had to write to every Publisher, from whose list of Books selections are made, to obtain his consent. All the Publishers have given their consent, and the formalities of the arrangement will be completed very shortly, after which I intend to visit the Educational Institutions of Ireland and Scotland.

I send you the printed Paper containing the official list of Books, Maps, etcetera, recommended by the Privy Council Committee, with the prices annexed, at which I can obtain them, also the printed forms of my future orders for them, with the conditions imposed by the Committee in fulfilling them.

From the list transmitted, you will see that the most valuable part of the Books mentioned are published in Dublin and Edinburgh. The list embraces all the Maps, as well as the best School Books, etcetera, that are published in England and Scotland,—including those of the Irish National Board. I intend to bring with me a copy of each of the publications in this list, as specimens for the Department.

*This Letter if returned, was not among the various papers, public and private—which Doctor Ryerson entrusted to me.

‡ This Cardinal Wiseman kindly did.

I think that on my way home I shall have to select books from the lists furnished by the American Publishers, [application, in writing, having failed to accomplish the specific objects desired by the Chief Superintendent in the selection of specimens of suitable Books for the Libraries.]*

In reply a Letter from me, in regard to the growing popularity of Free Schools in Upper Canada, Doctor Ryerson, on the 11th of April, 1851, wrote as follows :—

I rejoice beyond expression at the hold the question of Free Schools is taking of the public mind. I am satisfied that I have adopted the best course in leaving the battle of Free Schools fought in each Town, and School Section rather than in attempting to fight it in the Legislature. The discussion of that question will give birth to a thousand able speakers and advocates of education, and diffuse an immense deal of information And during my intended provincial tour in the autumn I hope to give another impulse to the good work.

Again on the 18th of April, 1851, Doctor Ryerson, in his Letter said :—

I see by an extract in the London Daily News from the Toronto correspondence of the New York Tribune which I take to be from your brother, or yourself, a reference to the Journal of Education that day published containing a great number of extracts from the reports of local Superintendents, showing that the principle of Free Schools was being very generally adopted in Upper Canada and that unconnected with politics, being adopted by men of all parties. I see noticed in several London papers that the Free School principle had triumphed in Toronto, These announcements make my heart leap for joy. I look forward with real pleasure to my intended tour of the Province next Autumn.

Edinburgh, May, 16th 1851. I came here from London last night, and to-day, in order to arrange with the Publishers and Booksellers here to get their Books and Maps direct at the prices agreed upon with the Committee of Council on Education. In that way we will save five per cent. We get the invoice direct from them, and I can also agree with them for others, upon the same terms. All the Booksellers I have seen are very ready to do so.

LETTER FROM THE CHIEF SUPERINTENDENT OF EDUCATION TO THE PROVINCIAL SECRETARY, IN REGARD TO THE LIBRARY GRANT, ETCETERA.

1. The Forty-first Section of the Common School Act for Upper Canada, of 1850, 13th and 14th Victoria, Chapter 48, authorises the expenditure of a sum not exceeding Three thousand pounds, (£3,000=$12,000), per annum for Public School Libraries in Upper Canada, and also a sum not exceeding £200 per annum for "plans and publications for the improvement of School Architecture and Practical Science in connection with Common Schools."

2. During my recent visit to the United States and Great Britain I made arrangements for purchasing Books and Publications for these purposes at very reduced prices. I purchased them to a considerable amount, and since my return, I have ordered to several hundred pounds worth, and shall order more the ensuing week.

3. I have this day received notice that some of my orders have arrived. I, therefore, pray that His Excellency, the Governor General will he pleased to order two Warrants to issue in my favour: the one for One thousand pounds, (£1,000,) to be accounted for as part of the apportionment for Public School Libraries, and the other for Two hundred pounds, (£200,) as the sum authorized to be expended the current year for the improvement of School Architecture and Practical Science, in connection with the Common Schools ; and I will account for the same, as required by the Twelfth and Thirteenth clauses of the Thirty-fifth Section of the School Act of 1850.

TORONTO, 9th August, 1851. EGERTON RYERSON.

* See page 193 of the Ninth Volume of this Documentary History

CHAPTER XI.

EDUCATIONAL PROCEEDINGS OF THE LEGISLATURE OF CANADA 1852, 1853.

1. Educational proceedings of the House of Assembly, 1852, 1853.

His Excellency Lord Elgin, the Governor General, opened the proceedings of the session of the Legislature of Canada, on the 19th day of August, 1852, with the usual Speech from the Throne, but in which he made no reference to the subject of Education:

August 25th, 1852. Pursuant to the Order of the Day, the following Petitions were read:—(1) Of the Municipal Council of the United Counties of Lanark and Renfrew; suggesting that the proceeds of the Sale of the Clergy Reserve Lands be appropriated to Common School purposes; (2.), Of the Reverend P. Aubert and others, Priests, residing in the Ottawa District; praying for aid in behalf of the College at Bytown; (3.), Of the Municipal Council of the United Counties of York, Ontario, and Peel; praying for certain amendments to the Laws now in force relating to expenses of Examining and Licensing Public School Teachers by the County Board of Public Instruction; (4.), Of the Reverend George Willson, Moderator, and the Reverend J. E. Ryerson, Clerk, of the Eastern Baptist Association; praying that the Clergy Reserve Lands may be sold, and the proceeds thereof appropriated to purposes of General Education.

August 26th, 1852. Pursuant to the Order of the Day, the following Petition was read:—Of the Municipality of the united Townships of Dalhousie, North Sherbrooke, and Lavant; praying that the proceeds of the sale of the Clergy Reserve Lands and Rectories may be devoted to the support of Common Schools.

August 30th, 1852. Pursuant to the Order of the Day, the following Petition was read:—Of the Municipal Council of the United Counties of Stormont, Dundas and Glengarry; praying for the adoption of certain measures for appropriating the proceeds of the sale of the Clergy Reserve Lands to Common School purposes. . . .

August 31th, 1852. The Honourable A. N. Morin presented, pursuant to Addresses to His Excellency the Governor General, a Supplementary Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 16th June, 1851, praying that His Excellency would be pleased to cause to be laid before the House, copies of all Reports made to His Excellency by the Endowment Board of the University of Toronto, and of Upper Canada College, and Grammar School, and by the Auditors of Accounts of these Institutions, in compliance with the provisions contained in Sections, 22 and 23, and 59 and 60, of the University Act of 1849, showing the state of the Property and Effects and, generally, of the Fiscal, or Financial, Affairs of the said University, College and School, since they were established upon principles: " to concilitate the confidence and ensure the support of "all classes and Denominations of Her Majesty's Subjects;" also, copies of all Annual Reports made by the Principal of Upper Canada College and the Royal Grammar School, shewing their condition and progress, under the authority of Section 55 of the said Act, or so much of the said copies of Reports as may have been received by the Government.* Also a Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 18th of June, 1851, praying that His Excellency would be pleased to cause to be laid before the House, a Tabular Return of the Professors and other Persons who received Salaries, or other Emoluments from the late University of King's College, and of the Professors and other Persons receiving Salaries from, (or to whom salaries have been assigned, in,) the University of Toronto, up to the present time, distinguishing in each year the amount of their respective Salaries and Emoluments, the number of Students attending each course of Lectures, and whether such Students attending have been matriculated, or not;—the fees charged to each Student, the number of Lectures delivered in each week by each Professor, and the number of Students in attendances at each Lecture;—the annual Income of the University, and, whether any, and what, part of the Endowment has been applied to the Annual Expenses, and during what years has any part of the Endowment Fund be so applied;—and also what Pensioners are paid out of the Funds of the University.‡

* For this Return, see Appendix M of the Journals of the House of Assembly for 1852-3.

‡ For this Return see Appendix N of the Journals of the House of Assembly for 1842, 43. As it is a purely Statistica Return, it is not inserted in this Volume.

September 2nd., 1852. Pursuant to the Order of the Day, the following Petition was read :—Of Mr. Robert Adamson, Chairman, and John Irvine, Secretary, on behalf of a Meeting of the Inhabitants of the Township of Lobo, County of Middlesex, praying that the Clergy Reserves may be secularized, the Rectories abolished and the Separate School System repealed.

September 3rd., 1852. Pursuant to the Order of the Day the following Petition was read :—Of Mr. Thomas Appleton of the Township of King, praying payment of his claim for his proportion of the allowance for Schools, due since the year 1828.*

September 6th., 1852. Pursuant to the Order of the Day, the following Petitions were read :—(1), Of the Municipality of the Township of Sarnia ; praying for the adoption of measures for the sale of the Clergy Reserve Lands, and the appropriation of the proceeds thereof to Educational purposes ; (2), Of the Muncipal Council of the United Counties of Stormont, Dundas and Glengarry ; praying for certain amendments to the Common School and Municipal Corporations Acts. The following is a copy of this Petition :—

To His Excellency the Right Honourable James, Earl of Elgin and Kincardine, K.T., Governor General of Canada.

The Municipal Council of the United Counties of Stormont, Dundas and Glengary, Representeth :—

1. That much uneasiness and hardship prevails in these United Counties, in consequence of some provisions of the present School Act of 1850 ; because, while a cumbrous and expensive School System is maintained at the public expense, and under legal authority, it is supposed that the cause of Education is not progressing more rapidly than under the old regime.

2. That this Council is under the impression that the office of Chief Superintendent of Education is quite useless ; and, that under the existing Municipal System, each County, or Union of Counties, in Upper Canada should not only have the absolute management of its own Educational Institutions, but likewise the distinct control over the Government School Funds, as well as the County Funds applicable to School purposes.

3. That hereby, instead of the salaries of School Superintendents being, as at present, arbitrarily fixed at One pound for each School within their respective limits, such salaries could, from time to time, be fixed at the discretion of the different County Councils, which, it is conceived, would be conducive, not only to the interests of Education, but to an economical distribution of the Public Funds, and be, also, productive of public satisfaction.

4. The provisions of the School Act of 1850 authorizing the establishment of Separate Schools, we regard not only as calculated to prove inconvenient and impracticable, but dangerous to the peace and welfare of the community. . . .‡

This Council will therefore eagerly, but respectfully, beseech that Your Excellency in Council will be pleased to give consideration to this, our humble Address, and recommend the same to the favourable attention of the Provincial Legislature at the next Session thereof.

Cornwall, 29th January, 1852. Samuel Ault, Warden.

Ordered, That Mr. George Brown have leave to bring in a Bill to repeal such Clauses of the Common School Acts of Upper Canada as authorize the establishment of Sectarian Schools, endowed with the Public Money. He accordingly presented the said Bill to the House, and the same was received and read for the first time ; and ordered to be read a second time on Thursday, the Twenty-third instant.||

September 7th., 1852, The Honourable A. N. Morin presented, by Command, a Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 31st ultimo, praying that His Excellency would be pleased to cause to be laid before the House, copies of all Correspondence between the Government of this Province and the Authorities of Trinity College, Toronto, in regard to a Royal Charter for the said College.

September 8th., 1852. Pursuant to the Order of the Day, the following Petitions were read :—(1), Of the Reverend Jesse B. Hurlburt, in behalf of the Adelaide Academy, Hamilton, Upper Canada, praying for aid in behalf thereof ; (2), Of Mr. John Ramsay, Chairman and Mr. J. W. Marstan, Secretary, in behalf of a Public Meeting of the Inhabitants of L'Original and its vicinity ; praying for the establishment of a Model and Experimental Farm to be attached to the District Grammar School at that place ; (3), Of the Right Reverend the Bishop of

* The case of this Mr. Thomas Appleton is fully explained in the First Volume of this Documentary History, pages 244—253.

‡ The remainder of this Petition relating to the amendment of the Municipal law and the merging of certain County Offices, is omitted.

|| This Bill was simply one to repeal the Nineteen Section of the Common School Act of 1850.

Carrhee, and Administrator of the Diocese of Kingston, Upper Canada, and others, the Roman Catholic Clergy and Laity of the said Diocese ; praying that the Common Upper Canada School Act of 1850 may be so amended as to grant to the Roman Catholics of Upper Canada a separate Provincial Board of Education, Separate Schools, and an equitable share of the Common School Fund.

On motion of Mr. George Brown, seconded by Mr. Jesse W. Rose, it was,—

Resolved, That an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid before this House, copies of all Correspondence which may have passed between the Roman Catholic Bishop of Toronto and the Chief Superintendent of Education for Upper Canada, on the subject of Separate Common Schools.

September 9th., 1852. Pursuant to the Order of the Day, the following Petitions were read :—(1) Of the Very Reverend T. Kirwin and others, Roman Catholic Inhabitants of the Town and vicinity of London, Upper Canada, praying for the passing of an Act to define the Rights and Privileges of Separate Schools under the Common School Act of 1850 ; (2), Of the University of Queen's College at Kingston, praying aid for the Endowment of the said University.

September 13th., 1852. Pursuant to the Order of the Day, the following Petitions were read :—Of Mr. William Pringle, Junior, and others of the Township of Markham and places adjacent, in the United Counties of York, Ontario and Peel ; praying that the Common School Law of 1850 may be repealed ; (2), Of the Municipality of the Township of Dawn, praying that the proceeds of the sale of the Clergy Reserve Lands may be appopriated to Common School purposes. . .

September 15th.,1852. Pursuant to the Order of the Day, it was,—

Ordered, That the Reports of the Endowment Board of the University of Toronto ; Upper Canada College and Royal Grammar School ; of the Caput of the University of Toronto, and of the Principal of Upper Canada College, for the year 1851, which were laid before this House on the 31st of August last, be printed for the use of the Members of this House.

September 16th , 1852. Pursuant to the Order of the Day, the following Petition was read :—(1), Of Mr. Norman B. Fish and others, of the Township of London, County of Middlesex ; praying for the adoption of Measures to abolish the Rectories and the Separate School System, and for the better promotion of Common School Education.

September, 20th, 1852. Pursuant to the Order of the Day, the following Petition was read :—Of Mr. William McAlpine, Chairman and Mr. James Menery, Secretary, on behalf of a Meeting of the Inhabitants of the Township of Warwick, County of Lambton, praying for the disposal of the Clergy Reserves and the abolition of the Rectories, and the appropriation of the proceeds thereof to purposes of General Education

Mr. George Brown moved, seconded by Mr. Jesse W. Rose, and the Question being put. That an humble Address be presented to His Excellency The Governor General, Praying His Excellency to cause to be laid before this House, copies of all Correspondence which may have passed between the Provincial and Imperial Governments on the subject of a Royal Charter for Trinity College, Toronto ; and also for copies of the Documents referred to in the Letter of the Church of England Bishop of Toronto, of 25th March, 1852, forming part of the Correspondence sent down to this House on the 7th instant ; the House divided : yeas. 2. nays 54. So it passed in the Negative.

Ordered, That Mr. William H. Boulton have leave to bring in a Bill to authorize Cities and Towns to establish and maintain Public Liabraries. Mr. Boulton accordingly presented the said Bill to the House, and the same was received and read for the first time ; and ordered to be read a second time on Monday next.*

The Honourable A. N. Morin laid before the House a Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 8th instant, praying that His Excellency would be pleased to cause to be laid before this House, copies of all Correspondence which may have passed between the Roman Catholic Bishop of Toronto and the Chief Superintendent of Education for Upper Canada, on the subject of Separate Common Schools in that Province.‡

September 21st, 1852. On motion, it was,—

Ordered, That the Honourable Francis Hincks have leave to bring in a Bill to amend the Law relating to the University of Toronto, by separating its Functions as a University with

* No Copy of this Library Bill is available.

‡ This Correspondence, extending to 68 pages of printed matter is too voluminous to be inserted in this History. It will be found printed in full in Appendix EE of the Journals of the House of Assembly for 1852, 3. A Supplementary Return of subsequent Correspondence on the same subject was laid before the House of Assembly in 1855, extending to 256 printed pages.

those assigned to it as a College, and by making Better provision for the Management of the Endowment thereof, and that of Upper Canada College. Mr. Hincks accordingly presented the said Bill to the House, and the same was received and read for the first time ; and ordered to be read a second time on Tuesday, the fifth of October next.*

September 23rd, 1852. Pursuant to the Order of the Day, the following Petition was read :—Of Mr. John McDonald and others, Roman Catholic Inhabitants of the Townships of Williams and Adelaide, County of Middlesex, praying for the passing of an Act to amend the Nineteenth Section of the Common School Act of 1850, and to define the Rights and Privileges of Separate Schools.

September 27th, 1852. Pursuant to the Order of the Day the following petition was read :—Of the Right Reverend Joseph Eugene Guigues, the Roman Catholic Bishop of Bytown, and others ; also the Roman Catholic Corporation of the College at Bytown, and others, praying for aid in the behalf of the said College.

September 28th, 1852. The Order of the Day for the second reading of the Bill introduced by Mr. George Brown to repeal such Clauses of the Common School Acts of Upper Canada as authorize the establishment of Sectarian Schools endowed with the Public Money, being read, it was,—

Ordered, That the Bill be read a second time on Wednesday, the Sixth of October next, and be then the first Order of the day.

September 30th, 1852. Pursuant to the Order of the Day the following Petition was read :—Of the Right Reverend John Strachan, Bishop of Toronto, on behalf of the Clergy and Delegates of the Laity, of the United Church of England and Ireland, of the Diocese of Toronto ; praying that the Common School Act of 1850 may be so amended as to provide for the establishment of Separate Schools for the children of Members of the said Church.

The Honourable A. N. Morin, laid before the House, by command of His Excellency the Governor General, the Annual Report of the Normal, Model and Common Schools in Upper Canada, for the year 1851 by the Chief Superintendent of Education for that Province.

Ordered, That the Chief Superintendent's Report be printed in pamphlet form, under the direction of the Standing Committee on Printing ; and that a copy be furnished to each Municipal Council, Local Superintendent of Common Schools, Board of Public Instruction, and School Corporation in Upper Canada, exclusive of the number printed for the use of the Members of this House.

On motion of Mr. William L. Mackenzie seconded by Mr. Amos Wright, it was, –

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before this House, at as early a day in the present Session as possible, the following Returns—*First*. A Return shewing what security, under the provisions of the Statute of Canada: 4th and 5th Victoria, Chapter 91, is given by the following Officer: the Chief Superintendent of Education for Canada West. *Secondly*, A Statement in detail, shewing what Books, Maps and other Articles for Schools, or Teachers, have been purchased and sold by the Chief Superintendent of Education for Canada West, within the last three years, whether as advertised for sale in his Official Paper, the *Journal of Education*, or otherwise offered to the Public and to School Teachers, together with the profits thereon, and upon the said Journal, and to what purposes said profits are applied ; also shewing in detail the manner in which Two thousand pounds, (£2,000), granted for School Libraries, and the Two thousand, seven hundred pounds, (£2,700), for School Architecture and Normal School Contingencies, and Student Teachers, have been disposed of and applied ; and informing His Excellency that it would advance the public interests if the annual Report of the Chief Superintendent of Education for Canada West, for each year, could be prepared before nine months of the following year had expired.

October 4th., 1852. Pursuant to the Order of the Day, the following Petition was read :—Of Mr. William Hepburn and others of the Village of Chippawa ; praying that the Clergy Reserve Lands may be withdrawn from Clergy of all Denominations, and the Rectories abolished, and the proceeds of the sale thereof appropriated to Common School Education.

Mr. Joseph Hartman moved seconded by Mr. Amos Wright, and the question being put, that the Petition of Mr. Thomas Appleton, of the Township of King, praying payment to his claim for his proportion of the allowance for Schools due since the year 1828, be referred to a Select Committee, composed of Mr. W. L. Mackenzie, Mr. A. Wright, Mr. William H. Boulton, Mr. Joseph C. Morrison, and the mover, to examine the contents thereof, and to report thereon

* On the suggestion of Mr. Hincks, Doctor Ryerson prepared a Draft of a University Bill and enclosed it to him with a Letter, fully explaining the object and purpose of the Bill. The Correspondence on this subject, with ths Bill, will be inserted in a subsequent part of this Volume.

with all convenient speed ; with power to send for persons, papers, and records ; the House divided : Yeas 9. Nays 35. So it passed in the negative.*

October 11th., 1852. Pursuant to the Order of the Day, the following Petition was read ;— Of the Reverend Thomas Creen and others, Trustees of Grammar Schools in the United Counties of Lincoln and Welland, and residing in the Town of Niagara, praying for the passing of an Act to enable them to make surrenders of a certain Lease granted them in their said capacity by the Executive Government, and to authorize a grant in fee, as also power to sell the same and to purchase a Site more eligible for the purposes intended by the said Lease.

October 12th., 1852. The Honourable A. N. Morin, presented, pursuant to an Address to His Excellency the Governor General, a Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 30th September, praying for, *First*, A Return shewing what security, under the provisions of the Statute of Canada : 4th and 5th Victoria, Chapter 91, is given by the Chief Superintendent of Education, East, and the Chief Superintendent of Education, West.

October 13th., 1852. Pursuant to the Order of the Day the following Petition was read :— (Of His Grace, P. F. Turgeon, the Roman Catholic Archbishop of Quebec, Patron, and others, the Officers of the Catholic Institute of St Roch of Quebec, praying that the Catholics of Upper Canada may be granted the privileges, with reference to Separate Schools, for which they have petitioned during the present Session.

(Note. On the 19th of October, the House ordered that this Petition be printed for the use of the Members)

October 20th., 1852. Pursuant to the Order of the Day, the following Petitions were read :—(1), (Of the Municipal Council of the United Counties of Stormont, Dundas and Glengary, praying that the Bill relating to the Endowment and Management of the University of Toronto may not pass into a Law, but that, should any alteration be deemed necessary in the said Endowment, it may be for the establishment of Grammar, or Common, Schools in the several Townships of Canada West ; (2), Of Mr. William McVeigh and others, Roman Catholic Inhabitants of St. Thomas and surrounding Townships, praying for the passing of an Act to amend the Nineteenth Section of the Common School Act of 1850 so as to define the Rights and Privileges of Separate Schools.

October 25th., 1852. Pursuant to the Order of the Day, the following Petition was read :—Of the Municipality of the Township of Nassagaweya : praying that the proceeds of the Clergy Reserve Lands may be appropriated to Common Schools, or to other General purposes.

November 3rd , 1852. The Order of the Day for the second reading of the Bill, introduced by Mr. George Brown, to repeal such Clauses of the Common School Acts of Upper Canada as authorize the establishment of Sectarian Schools endowed with the Public Money, being read ; it was,—

Ordered, That the Bill be read a second time on the Fifteenth of February next.

The Order of the Day for the second reading of the Bill to authorize Cities and Towns to establish and maintain Public Libraries being read, it was,—

Ordered, that the Bill be read a second time on the Fifteenth of February next.

The Order of the Day for the second reading of the Bill to amend the Law relating to the University of Toronto, by separating its Functions as a University from those assigned to it as a College, and by making Better Provision for the Management of the Endowments thereof, and that of Upper Canada College, being read ; it was,—

Ordered, That the Bill be read a second time on the Fifteenth of February next.

November 6th., 1852. *Ordered*, That the Honourable Attorney General W. B. Richards have leave to bring in a Bill to make certain Provision with regard to Common Schools in Upper Canada, for a Limited Period. He accordingly presented the said Bill to the House, and the same was received and read for the first time ; and ordered to be read a second time on Monday next.

November 8th., 1852. *Ordered*, that the Honourable Attorney General W. B. Richards have leave to bring in a Bill to amend the Law relating to Grammar Schools in Upper Canada. He accordingly presented the said Bill to the House, and the same was received and read for the first time ; and ordered to be read a second time on the Fifteenth of February next.

The Honourable A. N. Morin presented, by Command of the Governor General, pursuant to an Address to His Excellency, dated the 30th of September last, a Return for a Statement in detail, shewing what Books, Maps and other Articles for Schools, or Teachers,

*In reference to this case, see Note on page 101 of this Chapter.

have been purchased and sold by the Chief Superintendent of Education, West, within the last Three Years, whether as advertized for sale in his Official Paper,—the *Journal of Education for Upper Canada*, or otherwise offered to the Public* and to School Teachers, together with the Profits thereon†, and upon the said *Journal of Education*, and to what purposes said Profits are applied : Also showing in detail the manner in which Two-thousand pounds (£2,000=$8,000,) granted for School Libraries, and the Two-thousand, Seven hundred pounds, (£2,700=$10,800,) for School Architecture and Normal School Contingencies and [weekly grants to] Student-Teachers, have been disposed of and applied.

(NOTE. The Letter from the Chief Superintendent, transmitting this Return to the Provincial Secretary, with a view to have it laid before the House of Assembly, will be inserted further on in this Volume.)

November 9th., 1852. The Order of the Day for the second reading of the Bill to make certain Provision with regard to Common Schools in Upper Canada, for a Limited Period being read ; The Bill was accordingly read a second time ; and committed to a Committee of the whole House. The House accordingly resolved itself into the said Committee ; and, after some time spent therein, Mr. Speaker resumed the Chair ; and Mr. William L. Mackenzie, Chairman of the Committee, reported, that the Committee had gone through the Bill, and made amendments thereunto. It was then,—

Ordered, That the Report be now received. Mr. Mackenzie reported the Bill accordingly ; and the amendments were read, and agreed to. It was further,—

Ordered, That the Bill be now read the third time, and the Rules of this House be suspended as regards the same. The Bill was accordingly read the third time and passed, and it was,—

Ordered. That the Honourable Attorney General W. B. Richards do carry the Bill to the Legislative Council, and desire their concurrence thereto.

November 10th., 1852. A Message from the Legislative Council, by Mr. John Fennings Taylor, one of the Masters in Chancery, was received, to the effect that the Bill, intituled : An Act to make certain Provision with regard to Common Schools in Upper Canada, for a Limited Period, had been concurred in by the Council without amendment.

A Message from His Excellency the Governor General, by Mr. René Kimber, Gentleman Usher of the Black Rod, was received by the Honourable the Speaker, to the effect that,

His Excellency the Governor General desired the immediate attendance of the Honourable the House of Assembly in the Legislative Council Chamber. Accordingly, Mr. Speaker, with Members of the House, went to the Legislative Council Chamber :—

And being returned, Mr. Speaker reported, That, agreeable to the Commands of His Excellency the Governor General, the House had attended upon His Excellency in the Legislative Council Chamber, where His Excellency was pleased to give, in Her Majesty's Name, the Royal Assent to the following Public Bill :—

An Act to make certain Provision with regard to Common Schools in Upper Canada for a Limited Period.

(NOTE. An adjournment of the House of Assemble took place at this date, but it reassembled on the Fourteenth of February, 1853.)

February 16th, 1853. Pursuant to the Order of the Day, the following Petition was read :—Of the Municipal Council of the United Counties of Huron, Perth and Bruce, praying for certain amendments to the Common School Act of 1850.

February 18th, 1853. Pursuant to the Order of the Day, the following Petition was read :—Of Captain J. H. Lefroy, R A ; F.R.S., President and others, Members of the Toronto Canadian Institute ; representing that the Scientific Observations at the Observatory at Toronto are in danger of being discontinued, by reason of the contemplated withdrawal of the Royal Artillery at present stationed there, and praying that the said Observatory may be continued by Provincial authority, by placing it in connection with the Provincial University, or otherwise. It was then,—

Ordered, That the Petition of Captain J. H. Lefroy, R.A., F.R.S. and other Members of the Canadian Institute of Toronto, be printed for the use of the Members of this House.

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*None of the "Books, Maps and other Articles" here specified were ever "offered to the Public." The sale of these Requisites was confined exclusively to the Schools, and, School Teachers and Officers.

†The Educational Depository, in which these Books, Maps and other Articles "were kept for sale to the Schools" was closed by Order-in-Council of the Ontario Government in 1877, after an exhaustive Audit of its accounts was made by an expert Accountant, under the direction of Minister of Education Crooks. The "Profits" of the Depository at its close amounted to over Seventy-one thousand dollars ($71,054.55.) It took years to distribute gratuitously the School Requisites, which represented these "Profits," to Schools in the Province.

February 21st, 1853. Pursuant to the Order of the Day, the following Petition was read :—Of the Municipal Council of the United Counties of Stormont, Dundas and Glengarry ; praying for the repeal of the Common School Act of 1850, and the substitution of one general comprehensive Free School Act for Canada West.

February 23rd, 1853. Pursuant to the Order of the Day, the following Petitions were read :—(1), Of the Municipal Council of the United Counties of Essex and Lambton ; praying for the passing of a general, or special, Act to enable the Reeves of the said County of Essex to raise funds by assessment on the County of Essex only, for the repair of the Grammar School of that County;* (2), Of the Municipality of the Township of Nelson ; praying that the Common School Law of 1850 may be so amended as to leave to each School Section the mode of paying its Teacher.

Resolved, That the Petition of the Municipal Council of the United Counties of Essex and Lambton, relative to the Grammar School, be referred to a Select Committee, composed of Mr. John Prince, the Honourable Malcolm Cameron, Mr. George Brown, and Mr. Crowell Willson, to examine the contents thereof, and to report thereon with all convenient speed, by Bill, or otherwise ; with power to send for persons, papers and records.

The Order of the Day for the second reading of the Bill to repeal such clauses of the Common School Acts of Upper Canada as authorize the establishment of Sectarian Schools endowed with the Public Money, being read, it was,—

Ordered, That the Bill be read a second time on Wednesday next.

February 24th, 1853. The Order of the Day for the second reading of the Bill to authorize Cities and Towns to establish and maintain Public Libraries, being read, it was,—

Ordered, That the said Order be discharged, and the Bill withdrawn.

The Order of the Day for the second reading of the Bill to amend the Laws relating to the University of Toronto, by separating its Functions as a University from those assigned to it as a College, and by making Better Provision for the Management of the Endowment thereof and that of Upper Canada College, being read, it was,—

Ordered, That the Bill be read a second time To-morrow.

February 25th., 1853. The Order of the Day for the second reading of the Bill to amend the Laws relating to the University of Toronto, by separating its Functions as a University from those assigned to it as a College, and by making Better Provision for the Management of the Endowment thereof, and that of Upper Canada College, being read :—

The Honourable Francis Hincks moved, seconded by the Honourable John Rolph, and the Quesion being put, That the Bill be now read a second time ; the House divided : Yeas 58. Nays 2., So it was resolved in the Affirmative.

The Bill was accordingly read a second time ; and committed to a Committee of the whole House, for Tuesday next.

February 28th., 1853. The Order of the Day for the second reading of the Bill to amend the Law relating to Grammar Schools in Upper Canada, being read, it was,—

Ordered, That the Bill be read a second time to-morrow.

On motion of Mr. George P. Ridout, seconded by Mr. Amos Wright it was —

Ordered, That the Clerk of this House do take steps to obtain a Statement of all . . . Universities, Colleges and other Literary, or Scientific, Institutions, established in . . . Upper Canada. . .

March 3rd., 1853. Pursuant to the Order of the Day, the following Petition was read :— Of the Municipal Council of the County of Kent ; praying for the repeal of the Nineteenth Section of the Common School Act of 1850, which provides for Sectarian Schools, and also for certain other Amendments to the said School Act.

March 7th., 1853. Pursuant to the Order of the Day, the following Petition was read :— Of the Reverend A. F. Atkinson, Chairman and others, Members of the Board of Trustees for the Grammar School at St. Catharines, Upper Canada, praying for aid in behalf thereof.

Ordered, That the Return relative to Schools, Depository of Maps, etcetera, which was presented to the House on the 8th of November last, be printed for the use of the Members of this House.

March 9th., 1853. Pursuant to the Order of the Day, the following Petition was read :— Of W. B. Nichol, M. D. and others, Professors in the Faculties of Law and Medicine in the University of Toronto ; representing the injustice which shall result to them by the passing of

* This Petition was based upon a Memorial from the Circuit Board of Public Instruction for the County of Essex, which will be given in a subsequent part of this Volume. The Petition itself is not available.

the Bill to amend the Laws relating to the University of Toronto, unless a just compensation be awarded to each of them in that behalf, and praying relief in the premises.

March 11th., 1853. Pursuant to the Order of the Day, the following Petition was read:—Of Mr. Robert Robson, Chairman, on behalf of a Public Meeting held in the Township of London; praying for certain amendments to the Common School Act of 1850.

March 14th., 1853. *Resolved*, That the Petition of the Reverend A. F. Atkinson, Chairman, and others, Members of the Board of Trustees for the Grammar School at St. Catharines, Upper Canada, be referred to a Committee, consisting of the Honourable W. H. Merritt, the Honourable John Rolph, Mr. Thomas C. Street, the Honourable W. B. Robinson, and Mr. Joseph C. Morrison, with power to send for persons and papers and records.

March 21st., 1853. Pursuant to the Order of the Day, the following Petitions were read:—(1), Of Mr. Thomas Savage and others, Students in the Faculty of Medicine in the University of Toronto; praying that the Faculties of Law and Medicine in the said University may not, as proposed by the Bill relating thereto, be abolished, or otherwise, that the said Faculties be continued a sufficient length of time to enable Matriculated Students therein to obtain their Degrees, in prospect of which they have entered upon the respective courses of studies in the Faculty; (2), Of Mr. A. Sprout, and others, of the Township of Esquesing, County of Halton; praying for the repeal of the Common School Act of 1850, and the enactment of a Law similar to that in force previous to the year 1841.*

March 22nd., 1853. Ordered that the Honourable Attorney General W. B. Richards have leave to bring in a Bill Supplementary to the Common School Act of Upper Canada. He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

March 29th., 1853. Pursuant to the Order of the Day, the following Petitions were read:—(1), Of the Municipal Council of the United Counties of Peterborough and Victoria; praying for the repeal of the Common School Act, of 1850, and the enactment of a Law more simple and comprehensive, providing for a system of Free Schools under the County Municipalities; (2), Of Mr. Charles Scarlett and others, of the Township of Dawn, County of Lambton; praying for the passing of an Act to detach all the School Sections of the said Township from the corresponding School Sections of the Township of Zone and the Gore of Camden.

March 30th., 1853. On motion of the Honourable William Merritt, seconded by the Honourable Louis M. Viger, it was,—

Resolved, that an humble Address be presented to His Excellency the Governor General, praying that he will please to direct the proper Officer to lay before this House, a Statement of the monies which have been received from the sales of all Public Lands since the 30th of May, 1849, under the provisions of the First Section of the Act, passed on that day and year, intituled: "An Act to Raise an Income of One Hundred Thousand pounds, (£100,000 = $400,000), out of the Public Lands of Canada, for Common School Education;" also, a Return of One Million Acres of Land set apart for the purpose of creating a Fund for the Establishment and Support of Common Schools and District Libraries, and not to be alienated for any other purposes whatever; shewing where the same is situated, the price originally fixed per acre for the same, the number of acres sold, the amount paid thereon, and invested under the Second Section of the aforesaid Act, and the charges for management and sale thereof in each year; and praying that His Excellency will direct that a Statement, shewing the state of this Fund be hereafter published in the annual Public Accounts.

March 31st., 1853. Pursuant to the Order of the Day the following Petitions were read:—(1), Of Mr. C.S. Cherrier, and others, Roman Catholic Citizens of the City of Montreal; praying that the Roman Catholic minority of Upper Canada may enjoy the same rights with regards to Separate Common Schools as are enjoyed by the Protestant minority of Lower Canada in the same respect; (2), Of Mr. George S. Tiffany and Mr. George J. Grange; praying for the passing of an Act to authorize the establishment of a College at the City of Hamilton.

April 1st., 1853. The Honourable M. P. de Sales La Terrière, from the Standing Committee on Standing Orders, presented to the House the Thirty-second Report of the said Committee; part of which was read as followeth:—

The Petition of Messieurs George S. Tiffany and George J. Grange, for the establishment of a College at the City of Hamilton, is not of such a nature as to require the publication of Notice.

The House, according to Order, resolved itself into a Committee on the Bill to amend the Law relating to the University of Toronto by separating its Functions, as a University, from

*i. e. the Acts passed by the Legislature of Upper Canada in the years 1816, 1820 and 1824. The Municipal Council of the Gore District also advocated the revival of these obsolete School Acts. See page 115 of the Seventh Volume of this Documentary History.

those assigned to it as a College, and by making Better Provisions for the Management of the Endowments thereof, and that of Upper Canada College ; and after sometime spent therein, Mr. Speaker resumed the Chair ; and Mr. Thomas C Dixon, the Chairman of the Committee, reported, that the Committee had made some progress, and directed him to move for leave to sit again. It was then,—

Ordered, That the Committee have leave to sit again on Tuesday next.

April 5th., 1853. The House, according to Order, resolved itself again into a Committee on the Bill to amend the Law relating to the University of Toronto. . . . and after some time spent therein, Mr. Speaker resumed the Chair ; and Mr. Thomas C. Dixon the Chairman, reported, that the Committee had gone through the Bill, and made amendments thereunto. It was then,—

Ordered, That the Report be now received. Mr. Dixon reported the Bill accordingly ; and the amendments were read. The Honourable Francis Hincks moved, seconded by the Honourable John Rolph, and the Question being put, that the amendments be now read a second time ; the House divided , and the names being called for with the result, that the vote stood as follows :—Yeas 48 : Nays 2. So it was resolved in the Affirmative. And the amendments were read a second time, and agreed to. It was then,—

Ordered, That the Bill be read the third tlme on Tuesday next.

April 6th., 1853. Pursuant to the Order of the Day, the following Petition was read ;— Of Mr. Walter Laidlaw and others, of the Township of Esquesing, County of Halton, praying that the Chairs of Law and Medicine in the Toronto University may be allowed to remain intact.

The Order of the Day for the second reading of the Bill to repeal such clauses of the Common School Acts of Upper Canada as authorize the Establishment of Sectarian Schools endowed with the Public Money, being read ; it was,—

Ordered, That the Bill be read a second Time on Tuesday next.

April 7th., 1853. Pursuant to the Order of the Day, the following Petition was read :— Of the House of Convocation of the University of Toronto ; representing that the Bill now before the Legislature to amend the Laws of 1849 and 1850, relating to the said University, purposes to take from the said House of Convocation, and others associated with the University, certain vested rights and interests ; and also that the granting to the said University the right and privilege of electing a Representative to Parliament would promote the objects of the said University, and praying that the said Bill may not pass into law.

April 12th., 1853. The Order of the Day for the Third reading of the Bill to amend the Law relating to the University of Toronto. . . . being read, it was,—

Ordered, That the Bill be read the third time to-morrow.

April 13th., 1853. Pursuant to the Order of the Day, the following Petitions were read :—(1), Of Mr. William S. Scott, and others, of the Village of Hornby and its vicinity, praying that the Professorships of Law and Medicine in the University of Toronto may not be abolished ; (2) Of the Mayor and Town Council of the Town of Belleville, praying for certain amendments to the Common School Act of 1850.

The Order of the Day for the third reading of the Bill to amend the Law relating to the University of Toronto. . . . being read ; it was,—

Ordered, That the Bill be read the third time To-morrow.

April 14th., 1853. The Order of the Day for the third reading of the Bill to amend the Law relating to the University of Toronto. . . . being read ; The Honourable Francis Hincks moved, seconded by the Honourable Attorney General W. B. Richards, that the Bill now be read the third time ; Mr. George Brown moved in amendment to the Question, seconded by Mr. Adam Fergusson, That all the words after " be " to the end of the Question, be left out, in order to add the words : " recommitted to a Committee of the whole House, for the purpose " of leaving out the following words in the Preamble : " Whereas the enactments hereinafter repealed have failed to effect the end proposed by the Legislature in " passing them " instead thereof ; and the Question being put on the Amendment ; the House divided, and it passed in the Negative. And the Question being again proposed, That the Bill now be read the third time ; Mr. George Brown moved in amendment to the Question, seconded by Mr. Adam Fergusson, That all the words after " be " to the end of the Question be left out, in order to add the words : " recommitted to a Committee of the whole House, for the purpose " of restoring the studies of Law and Medicine, as branches of the Educational system of University College, reducing, or abolishing, the Salaries of the Professors, and rendering them, in a great measure, as entirely dependent on fees to " be paid by the Students " instead thereof, And the Question being put on the Amendment ; the House divided, and it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time ; Mr. George Brown moved in amendment to the Question, seconded by Mr. Adam J. Fergusson, That all the words after " be " to the end of the Question be left out, in order to add the words : " recommitted to a Committee of the whole House to provide for the dismissal of all the present Professors, Teachers, and other Officers of the University of Toronto and of Upper Canada College, on the 31st January, 1854, " in the same manner and under the same conditions as the Professors of Law and Medicine are proposed to be dismissed by the Bill ; also to fix the Salaries of " all Professorships and other Officers in University College and Upper Canada College, and to provide for filling up the said Professorships and other Offices with persons who are not unfitted for striving cordially and energetically to advance the Institution by conscientious scruples as to the " Godless character, " which has been unjustly attempted to be fixed on the said Schools," instead thereof ; And the Question being put on the Amendment ; the House divided ; and the names being called for ; the result was that the vote stood a follows:—Yeas 2 ; Nays 46. So it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time ; Mr. George Brown moved in amendment to the Question, seconded by Mr. Adam J. Fergusson, That all the words after " be " to the end of the Question be left out, in order to add the words : " recommitted to a Committee of the whole House, for the purpose of divesting the Professors of University College of the powers given them by the Bill to regulate the fees, manage the property and business, and determine the Professorships, Lectureships and Tutorships of the said College," instead thereof ; And the Question being put on the Amendment ; the House divided ; and the names being called for ; the result was that the vote stood as follows :—Yeas 6 ; Nays 48. So it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time ; Mr. George Brown moved in Amendment to the Question, seconded by Mr. Adam J. Fergusson, That all the words after " be " to the end of the Question be left out, in order to add the words : " recommitted to a Committee of the whole House, for the purpose of " declaring by express provisions what shall be the Professorships, Masterships, " and other Offices in University College and Upper Canada College respectively, and what Salary shall be attached to each Office," instead thereof ; " And the Question being put on the amendment ; the House divided ; and the names being called for ; the result was that the vote stood as follows :—Yeas 7 ; Nays 44. So it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time ; Mr, George Brown moved in Amendment to the Question, seconded by Mr. Adam J. Fergusson, That all the words after " be " to the end of the Question be left out, in order to add the words : " recommitted to a Committee of the whole House, for the purpose " of providing that public advertisement shall be made of any vacahcy in any Professorship of the said Colleges, and the reception and consideration of applicatiens by Candidates ere the said vacancy be filled up," instead thereof ; And the Question being put on the Amendment ; the House divided ; and the names being called for ; the result was that the vote stood as follows:—Yeas 13 ; Nays 40. So it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time ; Mr. George Brown moved in Amendment to the Question, seconded by Adam J. Fergusson, That all the words after " be " to the end of the Question be left out, in order to add the words : " recommitted to a Committee of the whole House to provide that, " when the surplus Annual Revenue of the University Income Fund, for two successive " years, shall exceed the sum of Three thousand pounds, (£3 000=$12,000,) a College precisely similar to University College, with the same powers and under the same management shall be commenced in some other part of the Province, and for the support of which the said surplus Fund, and the surplus in future years thereafter, shall be " applied ; also, to provide that, so soon as the said additional College shall have been fully established, and the Surplus Funds shall exceed the demands upon it by the said College and University College, any further surplus shall be applied towards the erection and support of a third College in a different section of the Country, similar in all respects to University College ", instead thereof ; And the Question being put in amendment ; the House divided ; and the names being called for ; the result was that the vote stood as follows :—Yeas 2 ; Nays 51. So it passed in the Negative.

And the Question being again proposed, That the Bill be now read the third time ; Mr. John Langton moved in Amendment to the Question, seconded by Mr. John W. Gamble, That all the words after " be " to the end of the Question be left out, in order to add the words : " recommitted to a Committee of the whole House, for the purpose of " amending the Seventeenth and Eighteenth Sections of the Bill, so that the Senate, whilst " preserving the power to determine the subjects of examination of Canditates for " Degrees, shall not be empowered to control the course of instruction to be pursued in the affiliated Colleges " instead thereof ; And the Question being put on the Amendment ; the House divided :—and it passed in the Negative. Then the main Question being put ; it was,—

Ordered, that the Bill be now read the third time. The Bill was accordingly read the third time.

The Honourable Francis Hincks moved, seconded by the Honourable Attorney General W. B. Richards, and the Question being put, That the Bill do pass, and the title be : "An Act to amend the Laws relating to the University of Toronto, by separating its Functions as a University from those assigned to it as a College, and by making Better Provision for the Management of the Property thereof, and that of Upper Canada College ;" the House divided : And the names being called for ; the result was that the vote stood as follows :—Yeas 57. Nays 3. So it was resolved in the Affirmative. It was then,—

Ordered, That the Honourable Francis Hincks do carry the Bill to the Legislative Council, and desire their concurrance.

April 15th, 1853. Pursuant to the Order of the Day, the following Petition was read :— Of the Reverend J. Nelligan and others, Officers and Members of the St. Patrick's Catholic Institute, Quebec ; praying for the passing of an Act to declare, in distinct terms, that the Roman Catholics of Canada West shall have all the rights as to Separate Schools enjoyed by the Protestant Minority of Lower Canada.

April 18th, 1853. Pursuant to the Order of the Day, the following Petition was read :— Of the Honourable Philippe Panet and others, Roman Catholics, of the City of Quebec : praying that the Roman Catholics of Upper Canada may be granted the privileges with reference to Separate Schools, for which they have petitioned during the present Session.

April 19th, 1853. The Committee on Standing Orders reported that they had examined the Petition of the Reverend John Roaf, for incorporation of the British American Institute for the education of Persons of Colour, and are of opinion that it does not come under the provisions of the 64th Rule of the House.

Pursuant to the Order of the Day, the following Petition was read : Of Mr. Michael D. Garder and others, of the Township of Willoughby, County of Welland, praying that the Bill relating to the University of Toronto may not pass into Law.

April 22nd, 1853. A Message from the Legislative Council, by Mr. John Fennings Taylor, one of the Masters in Chancery, was received, stating that the Legislative Council have passed the following Bill, without Amendment ; videlicet : "An Act to amend the Laws relating to the University of Toronto, by separating its Functions as a University from those assigned to it as a College, and by making better Provision for the Management of the Property thereof, and of that of Upper Canada College :"

A Message from His Excellency the Governor General, by Mr. René Kimber, Gentleman Usher of the Black Rod, was received as follows :—

Mr. Speaker,

His Excellency the Governor General desires the immediate attendance of this Honourable House of Assembly in the Legislative Council Chamber. Accordingly, Mr. Speaker, with Members of the House, went to the Legislative Council Chambers :—And being returned ;

Mr. Speaker reported, That, agreeable to the Commands of His Excellency the Governor General, the House had attended upon His Excellency in the Legislative Council Chamber, where His Excellency was pleased to give, in Her Majesty's Name, the Royal Assent to the following Public Bill :—

An Act to Amend the Laws relating to the University of Toronto, by separating its Functions as a University from those assigned to it as a College, and by making Better Provision for the Management of the Property thereof, and that of Upper Canada College.

April 27th, 1851. Pursuant to the Order of the Day, the following Petition was read :— Of Mr. Peter Murtagh and others, for the Town of London ; praying for certain amendments to the Common School Act of 1850.

April 28th, 1853. A Bill from the Legislative Council, intituled : "An Act to Incorporate the Hamilton College" was read for the first time. On motion of the Honourable Mr. Macdonald, seconded by the Honourable Mr. Hincks, it was,—

Ordered, That the Bill be read a second time on Monday next.

April 29th, 1853. The Order of the Day for the second reading of the Bill to amend the Law relating to Grammar Schools in Upper Canada being read ; The Bill was accordingly read a second time ; And committed to a Committee of the whole House, for Tuesday next.

May 3rd, 1853. The Order of the Day for the second reading of the Bill Supplementary to the Common School Act of Upper Canada, being read ; The Bill was accordingly read a second time ; And committed to a Committee of the whole House, for Friday next.

May 12*th*, 1853. The Honourable A. N. Morin, presented, pursuant to an Address to His Excellency the Governor General, a Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 30th March last, praying that His Excellency would be pleased to cause to be laid before the House, a Statement of the monies which have been received from the sales of all Public Lands since the 30th May, 1849, under the provisions of the First Section of the Act passed on that date, intituled : "An Act to raise an Income of One Hundred Thousand pounds, (£100,000.) out of the Public Lands of Canada, for Common School Education;"*also, a Return of the One Million of Acres of Land set apart for the purpose of creating a Fund for the establishment and support of Common Schools and District Libraries, and not to be alienated for any other purposes whatever, shewing where the same is situated, the price originally fixed per acre for same, the number of acres sold, the amount paid thereon, and invested under the Second Section of the aforesaid Act, and the charges for management and sale thereof in each year.

May 13*th*, 1853. The Special Committee appointed to consider the Petition from the United Counties of Lincoln and Welland reported that they had examined the Petition of the Reverend A. F. Atkinson and others, Trustees of the St. Catharines Grammar School, praying for aid in behalf thereof.

The said Institution, the Committee stated, was of great local importance, and that it was situated in the centre of 5,000 inhabitants. The classical scholars educated there have, for a number of years past, been eminently successful in their various professions. Your Committee, therefore, considering that this is an Institution well worthy of public aid respectfully recommend that a portion of the amount annually appropriated for the promotion of Education, be specially granted to the St. Catharines Grammar School.

May 17*th*, 1853. The House, according to Order, resolved itself into a Committee on the Bill to amend the Law relating to Grammar Schools in Upper Canada ; And, after sometime spent therein, Mr. Speaker resumed the Chair; and Mr. Edward Malloch, the Chairman of the Committee, reported, that the Committee had gone through the Bill, and made amendments thereunto Ordered, That the report be now received. Mr. Malloch reported the Bill accordingly ; And the Amendments were read, and agreed to. It was then ordered, that the Bill be read the third time To-morrow.

May 18*th*, 1853. A Bill to amend the Law relating to Grammar Schools in Upper Canada, was, according to Order, read the third time, and it was resolved that the Bill do pass, and that the Honourable Attorney General W. B. Richards do carry the Bill to the Legislative Council, and desire their concurrence.

May 19*th*, 1853. The Orders of the Day for the second reading of the Bill from the Legislative Council, intituled : "An Act to Incorporate the Hamilton College," being read ; the Bill was accordingly read a second time ; and referred to a Select Committee, composed of Sir Allan N. Macnab. Mr. George Brown, the Honourable William Badgley, Mr. John Langton, and Mr. George P. Ridout, to report thereon with all convenient speed; with powers to send for persons, papers, and records.

May 28*th*, 1853. A Message from the Legislative Council, by Mr. John Fennings Taylor, one of the Masters in Chancery :—was read to the effect that the Legislative Council had passed the following Bill, without amendment ; videlicet :—

Bill, intituled : "An Act to amend the Law relating to Grammar Schools in Upper Canada."

May 30*th*, 1853. Pursuant to the Order of the Day, the following Petition was read : Of the Municipal Council of the County of Kent, praying that the Bill Supplementary to the Common School Act of Upper Canada may not pass into Law, insomuch as the said Bill will, in effect, destroy the present working of the Common School System.

June 3*rd*, 1853. The Order of the Day for the House in Committee on the Bill Supplementary to the Common School Act of Upper Canada, being read ; Mr. George Brown moved, seconded by Mr. William L. Mackenzie, and the Question being proposed, That it be an instruction to the said Committee, that they have power to make provision in the said Bill, for the repeal of such Sections of the School Acts of Upper Canada now in force, as authorize the establishment, or continuance, of Separate Schools, and for the removal from the said Supplementary Bill of all recognition of any portion of the community in a sectarian capacity ;

Mr. David Christie moved in amendment to the Question, seconded by Mr. John Langton, That the words : "and also to make provision, that, in the management of any Common School which derives any portion of its support from the funds of the Province, there shall be

* A copy of this Act, as originally introduced into the House of Assembly by the Honourable James Harvey Price, Commissioner of Crown Lands, will be found on pages 116, 117 of the Eighth Volume of this Documentary History. It was assented to by the Queen in Council on the 9th of March, 1850. See page 2 of the Ninth Volume of this History.

no teaching or other practice permitted, which can, in any way, do violence to the religious feelings, or opinions, of any child, or of the parent, or guardian, of any child attending such Common School" be added at the end thereof. And the Question being put, that these words be there added; the House divided: and the names being called for, the vote stood as follows:—Yeas 16; Nays 46. So it passed in the Negative.

Then the Main Question being put; the House divided; and the names being called for, the vote stood as follows:—Yeas 11; Nays 46. So it passed in the Negative.

The House then resolved itself into the said Committee and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Joseph E. Turcotte, the Chairman of the Committee, reported, That the Committee had gone through the Bill, and made amendments thereunto. It was then ordered that the Report be received To-Morrow.

June 4th, 1853. The Order of the Day for the second reading of the Bill to repeal such Clauses of the Common School Acts of Upper Canada, as authorize the establishment of Sectarian Schools endowed with public Money, being read; it was ordered, that the said Order be discharged.

June 6th, 1853. Ordered, That the Return relative to School Lands, which was presented on the twelfth of May last, be printed for the use of the Members of this House.

The Order of the Day for receiving the Report of the Committee of the whole House on the Bill Supplementary to the Common School Act of Upper Canada, being read; and the Question being proposed, That the Report be now received; Mr. Benjamin Seymour moved in Amendment to the Question, seconded by Mr. Henry Smith, That all the words after "That" to the end of the Question be left out in order to add the words: "the Bill be now recommitted to a Committee of the whole House, for the purpose of leaving out the Proviso in the Thirteenth Section, and inserting the words: "Provided always, that no rate, or assessment, upon property shall be imposed by the Trustees in any School Section, unless the same shall have been first agreed to by a majority of the legally qualified rate-payers present at the annual School Section Meeting, authorized to be held under the provisions of the Upper Canada School Act of 1850, anything contained in the said Act, or in this Act, to the contrary notwithstanding" instead thereof. And the question being put on the Amendment: the House divided: and the names being called for, the vote stood as follows:—Yeas 14; Nays 27. So it passed in the Negative.

And the Question being again proposed, That the Report be now received: Mr. John W. Gamble moved in amendment to the Question, seconded by Mr. Asa A. Burnham, that all the words after "That" to the end of the Question be left out, in order to add the words: "the Bill be now recommitted to a Committee of the whole House, for the purpose of leaving out the words: "That the Trustees of each School shall have the same authority to assess and collect School Rates, for the purpose of purchasing School Sites and the erection of School Houses, as they are now, or may be invested with by law, to assess and collect Rates for other School purposes in the Sixth Section, and inserting the words: "That, whenever the Trustees of any Common School shall decide upon raising any sum of money by assessment on the rate-payers liable thereto, for the purpose of purchasing a School Site for the erection of a School House, or for any other School purposes, it shall be their duty, on, or before, the first day of August in each year, to make application to the Council of the Municipality within which such School is situated, by requisition, stating the amount necessary to be raised, together with the purpose for which the money is wanted, which Requisition shall be signed by the Trustees, and be under the Seal of their Corporation; and it shall be the duty of such Municipal Council, and they are hereby required, forthwith, to cause the sum applied for, together with five per cent thereon, to cover the expense of collection and other necessary abatement, to be assessed rateably upon all the rate-payers liable to pay such Assessment, and to be placed upon the Collector's Roll, for the then current year, and such rate shall be collected in the same manner as other rates, and paid over to the Treasurer of the Municipality at the same time with the other rates imposed by such Municipal Council, subject to the Order of the Trustees of such Common School, anything contained in any Law, now in force, to the contrary notwithstanding" instead thereof; And the Question being put on the Amendment: the House divided: And it passed in the Negative

And the Question being again proposed, That the Report be now received; Mr. Thomas C. Street moved in amendment to the Question, seconded by the Honourable W.B. Robinson, that all the words after "That" to the end of the Question be left out, in order to add the words: "The Bill be now recommitted to a Committee of the whole House, to consider the propriety of leaving out the Proviso of the Seventeenth Section" instead thereof; And the Question being put on the Amendment; the House divided: And it passed in the Negative.

Then the main Question being put; it was ordered that the Report be now received.

Mr. Turcotte, the Chairman, reported the Bill accordingly; and the Amendments were read, and agreed to.

The Honourable Attorney General W. B. Richards moved, second by the Honourable John Rolph, and the Question being proposed, That the Bill be read the third time To-morrow.

Mr. William L. MacKenzie moved in Amendment to the Question seconded by Mr. George Brown, That the word "To-Morrow" be left out, and the words: "this day six months" added instead thereof; and the Question being put on the Amendment, the House divided; and the names being called for, the vote stood as follows:—Yeas 9. Nays 41. So it passed in the Negative. Then the main question being put, it was ordered, that the Bill be read the third time To-morrow.

June 7th, 1853. The Order of the Day for the third reading of the Bill Supplementary to the Common School Act of Upper Canada, being read; The Honourable Attorney General W.B.Richards, moved, seconded by the Honourable Attorney General Louis T. Drummond, and the Question being put, That the Bill be now read the third time; the House divided: And the names being called for, the vote stood as follows:—Yeas 40; Nays 17. So it passed in the affirmative. The Bill was accordingly read the third time and passed. It was then,—

Ordered, That the Honourable Attorney General W. B. Richards do carry the Bill to the Legislative Council, and desire their concurrence.

June 10th, 1853. A Message from the Legislative Council, by Mr. John Fennings Taylor, one of the Masters in Chancery, was received and read as follows: The Legislative Council has passed the following Bill, without amendment; videlicet:—Bill, intituled: An Act Supplementary to the Common School Act for Upper Canada.

June 14th, 1853. A Message from His Excellency the Governor General, by Mr. René Kimber, Gentleman Usher of the Black Rod, was read as follows:—

MR. SPEAKER,

I am commanded by His Excellency the Governor General to acquaint this Honourable House, that it is the pleasure of His Excellency that the Members thereof do forthwith attend him in the Legislative Council Chamber.

Accordingly Mr. Speaker, with Members of the House, went up to attend His Excellency; where His Excellency was pleased to give, in Her Majesty's Name, the Royal Assent to the following Public Bills:—

An Act to amend the Law relating to Grammar Schools in Upper Canada.

An Act Supplementary to the Common School Act for Upper Canada.

2. EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL, 1852, 1853.

This Session of the Legislature of Canada of 1852, 1853 was opened by His Excellency the Governor General with the usual Speech from the Throne, in which he made no reference to any educational subject.

August 23rd, 1852. The Honourable J. Æmelius Irving presented a Petition from the Municipal Council of the United Counties of York, Ontario and Peel, praying that a portion of the expenses of the Circuit Board of Public Instruction be paid by the City of Toronto.

The Honourable E. P. Taché presented a Petition from the Municipal Council of the United Counties of Lanark and Renfrew, praying that the proceeds arising from the sale of the Clergy Reserves, may be applied to Common School purposes.

August 30th, 1852. The Honourable J. Æmelius Irving presented a Petition from the Municipal Council of the United Counties of Stormont, Dundas and Glengarry, praying that the Clergy Reserves may be sold and the proceeds applied to Common School purposes. . . .

August 31st, 1852. The Honourable Henry J. Boulton presented a Petition from the Municipal Council of the County of Simcoe, praying that the Twenty-eighth Section of the Common School Act of Upper Canada of 1850, relating to the examination of Teachers may be so amended as that the County Councils may exercise a control over the expenditure of money therein indicated.

September 1st, 1852. The Honourable Hamnett Pinhey presented a Petition from the Roman Catholic Clergy on both banks of the Ottawa River, praying for pecuniary aid in behalf of the College in Bytown.

The Honourable Mr. Speaker presented a Petition from the Honourable John Elmsley and others, Roman Catholic inhabitants of the Diocese of Toronto, praying that the Nineteenth Section of the Common School Act of Upper Canada of 1850, may be amended, and that the Rights and Privileges of Separate Schools may be clearly and distinctly defined.

September 7th, 1852. The Honourable E.P. Taché presented a Petition from the Reverend J. Kirwan and others, Roman Catholic inhabitants of the Town of London, praying that the Nineteenth Section of the Common School Act of Upper Canada of 1850, may be amended.

September 10th, 1852. The Honourable John Ross presented a Petition from the Roman Catholic Bishop and others being the Catholic Clergy and Laity of the Diocese of Kingston, praying that the Proviso in the School Act of 1850, for authorizing Separate Schools in Upper Canada, may be amended, and that a separate Board of Education may be established, for the Roman Catholic inhabitants thereof.

September 15th, 1852. The Honourable James Morris presented a Petition from the Municipal Council of the Township of Sarnia, severally praying, that all Lands set apart for ecclesiastical purposes may be immediately sold and the proceeds applied to the purposes of Education.

September 23rd, 1852. The Honourable John Ross presented a Petition from the University of Queen's College, Kingston, praying that a larger sum than has heretofore been appropriated to the College, may be annually granted for its support.

The Honourable E. P. Taché presented a Petition from Mr. James McIntyre and others, Roman Catholic inhabitants of the Township of Williams and Adelaide in the County of Middlesex, praying that an Act may be passed defining the Rights and Privileges of Separate Schools.

October 6th, 1852. The Honourable John Ross presented a Petition from the Honourable and Right Reverend Doctor Strachan, the Bishop of Toronto, praying for such a modification of the Common School Act of Upper Canada, of 1850, as will secure to the Members of the Church of England, in the Province, the establishment of Separate Schools for the education of their children. He also presented a Petition from the Roman Catholic Corporation of the College of Bytown and others praying for aid in behalf of the said College.

October 11th, 1852. The Honourable W. Walker presented a Petition from l'Institut Catholic de Saint Roch de Québec, praying that an Act may be passed defining clearly and explicitly the Rights and Privileges of Separate Schools, under the Ninteenth Section of the School Act of 1850, 13th and 14th Victoria Chapter, 48, for the Better Establishment and Maintainance of Common Schools in Upper Canada.

October 19th, 1852. The Honourable S. Crane presented a Petition from the Municipal Council of the United Counties of Stormont, Dundas and Glengarry, praying that the proposed measure for altering the Charter of the University of Toronto, may not become law in its present shape.

November 6th, 1852. The Honourable John Ross presented to the House a Bill intituled ; "An Act Supplementary to the Common School Act of Upper Canada. The said Bill was read for the first time.

November 10th, 1852. A Message was brought from the Legislative Assembly by the Honourable Attorney General W. B. Richards and others, with a Bill intituled ; "An Act to make Certain Provisions with regard to Common Schools in Upper Canada for a Limited Period", to which they desire the concurrence of the House, The said Bill was read for the first time, and it was,—

Ordered, that the Forty-sixth Rule of this House be dispensed with, in so far as it relates to this Bill, and that the same be read a second time presently. The said Bill was then read a second time accordingly, and it was,—

Ordered, That the said Bill be read a third time presently. The said Bill was then read a third time accordingly. The question was put whether this Bill shall pass, and it was resolved in the affirmative.

Ordered, That one of the Masters in Chancery do go down to the Legislative Assembly and acquaint that House that the Legislative Council have passed this Bill without any amendment.

The Honourable the Speaker commanded the Gentleman Usher of the Black Rod to let the House of Assembly know that "it is His Excellency's pleasure they attend him immediately in this House," who being come with their Speaker, the Governor General assented, in Her Majesty's name, to the following Bill :—

An Act to make certain Provisions with regard to Common Schools in Upper Canada for a limited period.

(NOTE. The Legislature having adjourned on this Day met again on the 14th of February, 1853, and the Legislative Council resumed business.)

February 24th, 1853. The Honourable James Morris presented a Petition from Captain J. H. Lefroy, F.R.S., and others, Members of the Canadian Institute, Toronto, praying that

the Observatory established there by Royal authority may be maintained from Colonial resources, and attached to the Provincial University.

He also presented a Petition from the Municipal Council of the United Counties of Stormont, Dundas and Glengarry, praying for the repeal of the Common School Act of 1850, and the substitution therefor of one general comprehensive Free School Law for Canada West.

March 3rd, 1853. The Honourable the Speaker presented a Petition from the Reverend A. F. Atkinson, and others, Members of the Board of Trustees for the Grammar School at St. Catharines, Upper Canada, praying for a grant of not less than One hundred pounds, (£100,) per annum to the said School, out of the moneys arising from the sale of School Lands, or such other permanent aid as may be deemed meet.

The Honourable the Speaker presented a Petition from the House of Convocation of the University of Toronto, praying that certain of their Rights and Priviliges may be preserved inviolate, and that the right and privilege of electing a Representative may be added thereto.

March 9th, 1853. The Honourable Henry J. Boulton presented a Petition from Mr. Robert Robson, on behalf of certain inhabitants of the Township of London, County of Middlesex, praying for the Amendment of the School Act of Upper Canada of 1850.

March 15th, 1853. The Honourable Henry J. Boulton presented a Petition from Doctor W. C. Gwynne and others, Professors in the Faculties of Law and Medicine in the University of Toronto, praying against the passing of the proposed Bill, respecting the University of Toronto, or that, in the event of the said Measure becoming law, they may be indemnified for the loss of the appointments which they now fill in the said University.

March 22nd, 1853. The Honourable Henry J. Boulton presented a Petition from Mr. Thomas Savage and others, Students of the Faculty of Medicine in University of Toronto, praying that the University Bill now before Parliament may not become Law.

March 23rd, 1853. The Honourable James Morris presented a Petition from the Municipal Council of the County of Kent, praying that the Nineteenth Section of the Common School Act of Upper Canada of 1850, which authorizes the establishment of Sectarian Schools, may be repealed.

March 29th, 1853. The Honourable Samuel Mills presented a Petition from Mr. George S. Tiffany and Mr. George J. Grange, both of Hamilton, praying for the passing of an Act to establish a College in the said City.

April 15th, 1853. The Honourable N. F. Belleau presented a Petition from the Honourable Philippe Panet and others, Roman Catholic Citizens of Quebec, praying that an Act may be passed defining clearly and explicitly the Rights and Privileges of Separate Schools in Upper Canada.

A Message was brought from the Legislative Assembly by the Honourable Inspector General Francis Hincks and others, with a Bill intituled: "An Act to amend the Laws relating to the University of Toronto, by separating its Functions as a University from those assigned to it as a College, and by making Better Provision for the Management of the Property thereof, and that of Upper Canada College," to which they desire the concurrence of this House.

April 19th, 1853. The Honourable Samuel Mills presented to the House a Bill intituled: "An Act to Incorporate Hamilton College." The said Bill was read for the first time, and it was ordered, that the said Bill be read a second time on Friday next.

April 20th, 1853. Pursuant to the Order of the Day, the Bill intituled: "An Act to amend the Laws relating to the University of Toronto by separating its Functions as a University from those assigned to it as a College and by making Better Provision for the Management of the Property thereof and that of Upper Canada College," was read a second time, and it was ordered, that the said Bill be committed to a Committee of the whole House.

Ordered, that the House be now put into a Committee on the same. The House, according to Order, was adjourned during pleasure and put into a Committee on the said Bill. After some time the House was resumed, and, The Honourable Philip Moore, Chairman, reported from the said Committee, that they had gone through the said Bill and had directed him to report the same to the House without any amendment, Ordered, that the said Bill be read a third time to-morrow.

April 21st, 1853. Pursuant to the Order of the Day, the Bill intituled: "An Act to amend the Laws relating to the University of Toronto by separating its Functions as a University from those assigned to it as a College, and by making Better Provision for the Management of the Property thereof, and that of Upper Canada College," was read a third time. The Question was put whether the Bill shall pass? It was resolved in the affirmative.

Ordered, that one of the Masters in Chancery do go down to the Legislative Assembly and acquaint that House that the Legislative Council have passed this Bill without any amendment.

April 22nd, 1853. The Honourable James Morris presented a Petition from Mr. Michael Gander and others of the Township of Willoughby, praying that no change may be made in the Charter of the University of Toronto. He also presented a Petition from Mr. William S. Scott and others, of the Villiage of Hornby, County of Halton, praying that the Professorships in the Faculties of Law and Medicine in the University of Toronto may not be abolished.

Pursuant to the Order of the Day, the Bill intituled: "An Act to Incorporate Hamilton College"; was read a second time. Ordered, that the said Bill be committed to a Committee of the whole House. Ordered, that the House be put into a Committee on the same on Monday next.

The Speaker commanded the Gentleman Usher of the Black Rod to let the Honourable the Speaker of the House of Assembly know that it is His Excellency's pleasure that that House attend him immediately in Legislative Council Chamber. That House having done so, with the Speaker, the Governor General assented in Her Majesty's name to the Bill intituled;

An Act to amend the Laws relating to the University of Toronto, by separating its Functions as a University from those assigned to it as a College, and by making Better Provision for the Management of the Property thereof, and that of Upper Canada College.

April 25th, 1853. The House, according to Order, was adjourned during pleasure and put into Committee of the whole on the Bill intituled; "An Act to Incorporate Hamilton College." After some time the House was resumed, and, The Honourable George J. Goodhue, the Chairman, reported from the said Committee that they had taken the said Bill into consideration, had made some progress therein and asked leave to sit again. Ordered, that the Committee have leave to sit again to-morrow.

April 26th, 1853. The House, according to Order, was adjourned during pleasure and again put into a Committee of the whole on the Bill intituled: "An Act to Incorporate Hamilton College" After some time the House was resumed, and the Honourable Roderick Matheson, the Chairman, reported from the said Committee, that they had gone through the said Bill and had directed him to report the same with certain amendments, which he was ready to submit whenever the House would be pleased to receive them. Ordered, that the report be now received, and the said Amendments were then read by the Clerk. The said Amendments being read the second time, and the question of Concurrence put on each they were severally agreed by the House. Ordered, that the said Bill with the Amendments be printed and read a third time on Thursday next.

April 28th, 1853. Pursuant to the Order of the Day, the Bill intituled: "An Act to Incorporate Hamilton College" was read a third time The question was put whether this Bill shall pass? It was resolved in the affirmative. Ordered, that one of the Masters in Chancery go down to the Legislative Assembly and acquaint that House that the Legislative Council have passed this Bill, to which they desire their concurrence.

May 23rd, 1853, A Message was brought from the Legislative Assembly by the Honourable Attorney General W. B. Richards and others, with a Bill intituled: "An Act to Amend the Law relating to Grammar Schools in Upper Canada," to which they desire the concurrence of this House. The said Bill was read for the first time. Ordered, that the said Bill be read a second time on Friday next. The House was adjourned during pleasure, and after some time the House was resumed.

May 27th, 1853. Pursuant to the Order of the Day the Bill intituled: "An Act to amend the Law relating to Grammar Schools in Upper Canada" was read a second time. Ordered, that the said Bill be committed to a Committee of the whole House. Ordered, that the House be now put into a Committee on the same. The House, according to Order, was adjourned during pleasure, and put into a Committee on the said Bill. After some time the House was resumed, and the Honourable John Macaulay, the Chairman, reported from the said Committee that they had gone through the said Bill, and had directed him to report the same to the House without any Amendment. Ordered, that the said Bill be read the third time to-morrow.

May 28th, 1853. Pursuant to the Order of the Day, the Bill intituled: "An Act to Amend the Law relating to Grammar Schools in Upper Canada" was read a third time. The question was put whether this Bill shall pass? It was resolved in the affirmative. Ordered, that one of the Masters in Chancery do go down to the Legislative Assembly and acquaint that House that the Legislative Council have passed this Bill without any amendment.

June 8th, 1853. A Message was brought from the Legislative Assembly by the Honourable Attorney General W. B. Richards and others, with a Bill intituled: "An Act Supplementary to the Common Schools Act for Upper Canada," to which they desire the concurrence of this

House. The said Bill was read for the first time. Ordered, that the said Bill be read a second time to-morrow.

June 9th, 1853. The Order of the Day, being read for a second reading of the Bill intituled : "An Act Supplementary to the Common School Act for Upper Canada." It was moved that the said Bill be now read for the second time, which being objected to, after debate, The question of Concurrence was put thereon, and the same was resolved in the affirmative, The said Bill was then read a second time accordingly. Ordered, that the said Bill be committed to a Committee of the whole House. Ordered, that the House be now put into a Committee on the same. The House, according to Order, was adjourned during pleasure and put into a Committee on the said Bill. After some time the House was resumed, and the Honourable G. S. De. Beaujeu, the Chairman, reported from the said Committee, that they had gone through the said Bill, and had directed him to report the same to the House, without any Amendment. Ordered, that the said Bill be read a third time to-morrow.

June 10th, 1853. The Order of the Day, being read for a third reading of the Bill intituled : "An Act Supplementary to the Common School Act for Upper Canada." It was moved that the said Bill be now read for the third time, which being objected to, The question of Concurrence was put thereon, and the same was resolved in the affirmative. The said Bill was then read a third time accordingly. The question was put whether this Bill shall pass? It was resolved in the affirmative.

LEGISLATIVE COUNCIL,
June 10th, 1853.

WILLIAM MORRIS,
ADAM FERRIE,
RODERICK MATHESON,
JOHN MACAULAY
GEORGE S. BOULTON.
} Dissentients.

Ordered, that one of the Masters of Chancery, do go down to the Legislative Assembly, and acquaint that House, that the Legislative Council have passed this Bill without any Amendment.

June 10th, 1853. The Honourable James Ferrier presented a Petition from the Municipal Council of the Town of Chatham, praying for the passing of an Act authorizing the sale of divers lots within the said Town, granted for the use of certain Religious Demoninations, and for School purposes, and that the proceeds of such sales may be paid over to the Corporations for whose benefit the original grant was made.

June 14th, 1853. The Honourable James Ferrier presented a Petition from the Municipal Council of the County of Kent, praying that the Bill to amend the Common School Law of Upper Canada, may not be passed into a Law . . .

June 28th, 1853. The Speaker commanded the Gentleman Usher of the Black Rod to let the Assembly known that "it is His Excellency's pleasure they attend him immediately in this House. Members of that House being come, with their Speaker, the Clerk of the Crown in Chancery read the titles of the Bills to be passed severally by the Governor General in Her Majesty's name, as follows :—

An Act to amend the Law relating to Grammar Schools in Upper Canada.

An Act Supplementary to the Common School Act for Upper Canada.

CHAPTER XII.

EDUCATIONAL ACTS PASSED BY THE LEGISLATURE OF CANADA IN 1852, 1853.

16TH AND 17TH VICTORIA, CHAPTER LXXXIX.

AN ACT TO AMEND THE LAWS RELATING TO THE UNIVERSITY OF TORONTO BY SEPARATING ITS FUNCTIONS AS A UNIVERSITY FROM THOSE ASSIGNED TO IT AS A COLLEGE, AND BY MAKING BETTER PROVISION FOR THE MANAGEMENT OF THE PROPERTY THEREOF, AND OF UPPER CANADA COLLEGE.*

THE EARL OF ELGIN AND KINCARDINE, GOVERNOR GENERAL.

[Received the Royal Assent, April 22nd, 1853.]

WHEREAS the Enactments hereinafter repealed have failed to effect the end proposed by the Legislature in passing them, inasmuch as no College, or Educat- Preamble.

* Certain changes in the Sections of the latter part of this Act, as originally drafted, were made in it as it passed through the Legislature. These changes are indicated in the particular sections, in which either changes, or additions, were made. The additions will be put in italic type ; and the omissions in brackets, and in Brevier type.

ional Institution, hath, under them, become affiliated to the University to which they relate, and many parents and others are deterred by the expense and other causes, from sending the youth under their charge to be educated in a large City distant, in many cases, from their homes; and: . . . . . .

WHEREAS, from these and other causes, many do and will prosecute and complete their studies in other Institutions in various parts of this Province, to whom it is just and right to afford facilities for obtaining those scholastic Honours and Rewards, which their diligence and proficiency may deserve, and thereby to encourage them and others to persevere in the pursuit of knowledge and sound learning; and:

WHEREAS experience hath proved the principles embodied in Her Majesty's Royal Charter to the University of London, in England, to be well adapted for the attainment of the objects aforesaid, and for removing the difficulties and objections hereinbefore referred to:

Imperial Act of 1840.

Be it therefore, enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled: An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada, and it is hereby enacted by the authority of the same:

Act of 1849: 12 Vict. Chap. 82 Repealed.

1. That the Act passed by this Legislature in the Twelfth Year of Her Majesty's Reign, and intituled: "An Act to amend the Charter of the University established at Toronto by His late Majesty King George the Fourth, to provide for the more satisfactory government of the said University, and for other purposes connected with the same, and with the College and Royal Grammar School forming an Appendage thereof." And the Act passed in the Session held in the Thirteenth and Fourteenth Years of Her Majesty's Reign, and intituled: "An Act to Remove certain Doubts respecting the intention of the Act of the last Session of the Parliament of this Province, for amending the Charter of the University of Toronto, and to provide for the institution and endowments of Regius and other Professorships, Lectureships, Fellowships, Scholarships, Exhibitions, Prizes and other Rewards connected with the said University and with the College and Royal Grammar School of Upper Canada College, forming an Appendage thereof," are hereby repealed, as is also so much of the Charter referred to in the Act, first mentioned, as may be inconsistent with this Act; but so much of the said Charter, as shall not be inconsistent with this Act, shall remain in force.

Act of 1850, 13th and 14 Vict. Ch. 49: Repealed.

Royal Charter 1828.

CONSTITUTION OF THE UNIVERSITY OF TORONTO, 1853.

Corporate name of the University

II. The University established by the Charter aforesaid, and mentioned in the said Acts, shall henceforth be called the University of Toronto, and shall continue to be a Body Corporate, with the powers vested in Corporate bodies by the Interpretation Act of this Province, and power to hold such real property as may be assigned to it under the provisions of this Act and such other powers and privileges as are confered upon it by those portions of the said Charter remaining in force, or by this Act, but such powers shall be exercised in accordance with the provisions of this Act.

His Genera Powers.

Functions of the University defined.

III. There shall be no Professorship, or other Teachership, in the said University of Toronto, but its functions shall be limited to the examining of Candidates for Degrees in the several Faculties, or for Scholarships, Prizes, or Certificates of Honour, in different branches of knowledge, and the granting of such Degrees, Scholarships, Prizes and Certificates of Honour, after examination, in the manner hereinafter mentioned.

Corporation, how composed.

IV. The said Corporation of the University of Toronto shall hereafter consist of one Chancellor, one Vice-Chancellor, and such number of other Members of the Senate as the Governor of this Province shall, from time to time, appoint under His Hand and Seal-at-Arms, and as shall be appointed by the Senate under the power hereinafter given.

Senate: Chancellor and Vice-Chancellor.

V. The Chancellor, Vice-Chancellor and other Members of the Senate, for the time being, shall constitute the Senate of the said University; and the first Chancellor and Vice-Chancellor shall be appointed by the Governor in the manner aforesaid.

Vacancies in the Chancellor-Ship.

VI. Whenever a vacancy shall occur in the office of Chancellor of the said University, either by death, resignation, or otherwise, the Governor may, in the

manner aforesaid, nominate a fit and proper person to be Chancellor, instead of the Chancellor occasioning such vacancy.

Office of the Vice-Chancellor after the first appointment to be elective.

VII. The office of Vice-Chancellor of the said University shall be a biennial one,—that is to say, the term of office of each Vice-Chancellor shall expire on some day in the calendar year, next but one after that, in which he shall have been appointed, or elected, and the day on which the term of office shall expire shall be appointed by a Statute of the University; and the Members of the Senate shall, at a Meeting to be holden for that purpose, on some day within a month before the expiration of the said term of office, of which Meeting notice shall be given in such manner as shall be fixed by a Statute of the University, elect some one of the Members of the Senate to be Vice-Chancellor, when the term of office of the then Vice-Chancellor shall expire, and so, from time to time, biennially; or, in case of death, resignation, or other vacancy in the office of any such Vice-Chancellor, before the expiration of his term of office, they shall, at a Meeting to be holden by them for that purpose, as soon as conveniently may be, of which notice shall be given in manner aforesaid, elect one other of the said Members of the Senate to be Vice-Chancellor for the remainder of the term, in which such death, resignation, or other avoidance, shall happen.

Election to be biennial.

Election of Members of the Senate by the remaining Members in certain cases.

VIII. If, at any time, by death, or otherwise, the number of the said Members of the Senate shall be reduced below the number of ten, exclusive of the Chancellor and Vice-Chancellor for the time being, then, and in such case, and as often as the same shall happen, if the Governor do not think proper to complete the said number by appointment, the Members of the Senate shall, as soon as conveniently may be, at a Meeting to be holden for that purpose, of which notice shall be given in such manner as shall be provided by a Statute of the University, elect one, or more, fit and proper persons to be Members of the Senate, in addition to the then remaining Members thereof, to the end, that, by means of such election, the number of ten Members of the Senate of the said University may be completed, exclusive of the Chancellor and Vice-Chancellor of the said University; but no person shall be appointed, or elected a Member of the Senate who shall not be a subject of Her Majesty.

Governor to be Visitor.

IX. The Governor of this Province shall be, (as heretofore,) the Visitor of the said University, on behalf of Her Majesty, and such Visitorial Powers may be exercised by Commission, under the Great Seal of this Province, the proceedings whereof, having been first confirmed by the Governor, shall be binding on the said University and its Members and on all others whomsoever.

Senate o manage the business of the University.

X. The Chancellor, Vice-Chancellor and Members of the Senate, for the time being, shall, (subject to the provisions of this Act relative to the income and Property of the said University,) have the management of, and superintendance over, the affairs and business thereof; and, in all cases unprovided for by this Act, it shall be lawful for the Chancellor, Vice-Chancellor and Members of the Senate to make such Statutes, and to act in such manner, as to them shall appear best calculated to promote the purposes of the said University; and the said Chancellor, Vice-Chancellor and Members of the Senate shall have such power, from time to time, to make and alter any Statutes, (so as the same be not repugnant to the Laws of Upper Canada, or to the General objects and provisions of this Act,) touching the examination for Degrees, or for Scholarships, Prizes, or Certificates, and the fees to be paid by Candidates for examination, or upon taking any Degree, and the application of such fees, and touching the periods of the regular Meetings of the Senate and the mode of convening special Meetings thereof, and, in general, touching all other matters whatsoever regarding the said University, or the business thereof, or for any purpose for which provision may be required for carrying out this Act, according to its intent and spirit in any case unprovided for by this Act; and all such Statutes, when reduced into writing, and after the Common Seal of the said University shall have been affixed thereto, and after they shall have been approved by the Visitor, shall be binding upon all persons being Members, or Officers, thereof, and upon all Candidates for Degrees, Scholarships, Prizes, or Certificates of Honour, to be conferred by the said University, and all others whom it may concern, a certified copy of such Statutes being deposited with the Provincial Secretary within ten days after the passing thereof, to be laid before the Visitor of the said University, for his approval; and no such Statute shall have force, or effect, until it shall have been approved by the Visitor and such approval signified to the Senate through the said Secretary: Provided always, that by any such Statutes approved, as aforesaid, power may be

Power to make Statutes.

Statutes to be appoved by the Visitor before they are binding.

Proviso.

given to any Committee, Officers, or Persons, to make Regulations for the better carrying out of the provisions, or object, of any Statute, in the manner and to the extent therein prescribed.

Power to grant Certificates of Honour.

XI. In addition to the power of conferring Degrees in Arts and Faculties vested in the said University, the said Chancellor, Vice-Chancellor and Members of the Senate, shall have power, after examination, to grant Certificates of Honour in such branches of knowledge as they shall, from time to time, by Statutes to be made by the Senate in that behalf, determine.

Majority to decide, and etcetera.

XII. All questions which shall come before the Chancellor, Vice-Chancellor and Members of the Senate, shall be decided by the majority of the Members present; but, in case of equality of votes, the maxim *praesumitur pro negante* shall prevail.

Quorum.

XIII. No question shall be decided at any Meeting unless the Chancellor, or Vice-Chancellor, and four other Members of the Senate, or, in the absence

Legal Meetings of the Senate.

of the Chancellor and Vice-Chancellor, unless five other Members of the Senate, at the least, shall be present at the time of such decision, nor shall any Meeting be legally held unless held at the time, or convened in the manner provided for by the Statute, as aforesaid.

Chairman.

XIV. At every Meeting of the Chancellor, Vice-Chancellor and Members of the Senate, the Chancellor, or, in his absence, the Vice-Chancellor shall preside as Chairman, or, in the absence of both Chancellor and Vice-Chancellor, a Chairman shall be chosen by the Members present, or a majority of them.

Offices.

XV. The said Chancellor, Vice-Chancellor and Members of the Senate, for the time being, shall have full power to appoint by Statute, from time to time, and, as they shall see occasion, to remove in like manner, all Examiners, Officers and Servants of the said University, except the Bursar hereinafter mentioned.

Examination for Degrees, etcetera.

XVI. Once, at least, in every year, at a time or times, to be fixed by Statute of the Senate, the said Chancellor, Vice-Chancellor and Members of the Senate shall cause to be held an Examination of the Candidates for Degrees, Scholarships, Prizes, or Certificates of Honour, as aforesaid; and, at every such Examination, the Candidates shall be examined orally, or in writing, or otherwise, in as many branches of general knowledge as the Chancellor, Vice-Chancellor and Members of the Senate shall consider the most fitting subjects for

For Honours.

such examination; and special Examinations may be held for Honours; and all such Examinations shall be open and public.

From what college, etcetera students may be examined for degrees in Arts.

XVII. And, in order to extend the benefits of Colleges and Establishments already instituted in this Province for the promotion of Literature, Science and the Arts, whether incorporated, or not incorporated, by connecting them, for such purpose, with the said University, all persons shall be admitted as Candidates for the respective Degrees of Bachelor of Arts and Master of Arts, to be conferred by the said University, of Toronto, on satisfying the Chancellor, Vice-Chancellor and Members of the Senate, by proper Certificates, that such persons have, in any of the Institutions hereinafter mentioned, gone through and completed such course of instruction as the said Chancellor, Vice-Chancellor and Members of the Senate shall, by Statutes to be made by the Senate, as aforesaid, from time to time, determine; and the Institutions in which such course of instruction may be completed shall be those hereinafter mentioned, that is to say: all Colleges in Upper, and Lower, Canada incorporated by Royal Charter, or by Act of the Parliament of this Province, or of either of the late Provinces of Upper, or Lower, Canada, and also such other Institutions, corporate, or unincorporated, as now are, or shall hereafter be, established for the purposes

Governor may nominate others

of Education within this Province, which the Governor of this Province shall, from time to time, prescribe to the said Chancellor, Vice-Chancellor and Members of the Senate, under His Hand and Seal-at-Arms.

From what Institutions Students may be examined for Degrees in Law and Medicine.

XVIII. And, for the purpose of granting the Degrees of Bachelor of Medicine, and Doctor of Medicine, and the improvement of Medical Education in all its branches, as well in Medicine as in Surgery, Midwifery and Pharmacy, and for the purpose of granting the Degrees of Bachelor of Laws and Doctor of Laws, respectively, the said Chancellor Vice-Chancellor and Members of the Senate shall, from time to time, report to the Governor of this Province, through the Provincial Secretary, what appears to them to be the Medical Schools and Institutions, or the Law Schools and Institutions, whether corporate, or unincorporated, in this Province, from which, either singly, or

jointly with other Medical, or Law Schools, or Institutions in this Province, or in other parts of Her Majesty's Dominions, or in Foreign Parts, it may be fit and expedient, in the judgement of the said Chancellor, Vice Chancellor, and Members of the Senate, to admit Candidates for Degrees in Medicine, or in Law, and, on approval of such report by the Governor, shall admit any person to examination as a Candidate for the respective Degrees of Bachelor of Medicine, or Doctor of Medicine, Bachelor of Laws, or Doctor of Laws, to be conferred by the said University, on his satisfying the said Chancelllor, Vice-Chancellor and Members of the Senate, that such Candidate has therein gone through and completed a course of instruction during such period as they shall, by Regulations in that behalf, determine; and it shall be lawful for the said Chancellor, Vice-Chancellor and Members of the Senate, from time to time, with the approval of the Governor, to vary, alter and amend any such reports, by striking out any of the said Institutions, or Schools, included therein, or by adding others thereto; and all Institutions from which, under this, or the next preceding, Section, Students may be examined for Degrees, shall be said to be affiliated, for that purpose, to the said University.

Affiliated Institutions, what.

XIX. The said Chancellor, Vice-Chancellor and Members of the Senate shall have power, after examination, to confer the several Degrees of Bachelor of Arts, Master of Arts, Bachelor of Laws, Doctor of Laws, Bachelor of Medicine and Doctor of Medicine and to examine for Medical Degrees in the four branches of Medicine, Surgery, Midwifery and Pharmacy; and such reasonable fees shall be charged to the Candidates for Examination, for Degrees, or for Certificates of Honour, as aforesaid, as the Chancellor, Vice-Chancellor and Members of the Senate, shall, by Statute of the Senate, in that behalf, from time to time, determine, and such fees shall be paid and applied as shall be determined by a Statute of the Senate.

Power to confer Degrees in Arts and Faculties.

Fees.

[XX. (*in Draft of Bill.*) At the conclusion of every Examination of Candidates for Degrees, the Examiners shall declare the name of every Candidate whom they shall deem to be entitled to any of the said Degrees, and the departments of knowledge in which his proficiency shall have been evinced, and also, if he has been examined for Honours, but not otherwise, his proficiency in relation to other Candidates, also examined for Honours, and he shall receive from the Chancellor a Certificate, under the Seal of the University, and signed by the Chancellor, in which the particulars so declared shall be stated.]

Relative degrees of proficiency to be declared in certain cases.

XX. The Regulations to be made with respect to the literary and scientific attainments of persons obtaining Degrees, or Certificates of Honour, and their examination shall, in so far as circumstances will, in the opinion of the Chancellor Vice-Chancellor, and Members of the Senate, permit, be similar to those in force for like purposes in the University of London, to the end that the standard of qualification in the University of Toronto may not be inferior to that adopted for a like Degree, Certificate, or Honour in the University of London.

Standard of Qualification for Degrees, and etcetera.

[XXI. (*in Draft of Bill.*) At the Conclusion of every Examination of Candidates for Certificates of proficiency, as aforesaid, the Examiners shall, under such Regulations as shall be made by Statute in that behalf, classify such Candidates according to their degrees of proficiency, and declare such relative proficiency, either by Certificate, to be granted to them respectively, under the Seal of the University, or in and by published lists of the Candidates to whom such Certificates shall have been granted.]

XXI. The Examiners may be required to make the following Declaration before the Chancellor, or Vice Chancellor:

"I solemnly declare that I will perform my duty of Examiners, without fear, favour, affection, or partiality, towards any Candidate, and that will not knowingly allow to any Candidate any advantage which is not equally allowed to all. So help me GOD."

Examiners to make a declaration of impartiality.

XXII. The said Chancellor, Vice-Chancellor and Members of the Senate, may make such special Regulations as to them shall seem just, with regard to the Examination of Students who have matriculated in the said University before the passing of this Act, and with regard to the completion by them of the prescribed course of instruction, but in so far only as relates to the first Degree to be taken by any such Student after the passing of this Act, after which they shall be subject to the same Regulations as other Candidates.

As to students in the University before the passing of this Act.

XXIII. The said Chancellor, Vice-Chancellor and Members of the Senate, may grant Scholarships, Prizes and Rewards to persons who shall distinguish themselves at their examinations, but the sum to be expended for such pur-

Scholarships, Prizes and Rewards to be granted.

poses, in any one year, shall not exceed such sum as shall be appropriated for that purpose under the provisions hereinafter made ; and such Scholarships shall be of the nature and extent of those next mentioned ; and all such Scholarships, Prizes and Rewards shall be granted accordingly to Regulations previously made by the Senate and published.

Nature of such Scholarships.

XXIV. The said Scholarship sshall hereafter be held to be University Scholarships in any of the affiliated Institutions in Upper Canada, and shall be held by the Chancellor, Vice-Chancellor and Members of the Senate, for the purpose of being awarded according to the proficiency manifested on examination in prescribed subjects, and to each of such Scholarships an annual stipend shall be attached, payable out of the University Income Fund, for such periods, and on such conditions, as shall be fixed by the Regulations to be made by Statute of the Senate in that behalf ; and the holder of any Scholarship granted under this and the next preceding Section of this Act shall have the title of " University Scholar : "

Proviso.

Provided always, that every Scholarship in the University of Toronto, granted before this Act shall be in force, shall thereafter be a University Scholarship in University College hereinafter mentioned, and the holder thereof shall have the said title of " University Scholar."

Statutes under Sec. 50 of 12 Vict. ch. 82 to remain in force until repealed.

XXV. Any Statutes made under the Fiftieth Section of the Act of 1849, herein first cited and repealed, by the Commissioners therein referred to, and in force when this Act shall come into effect, shall remain in force, in so far as they may not be inconsistent with this Act, until repealed, or altered, by the Chancellor, Vice-Chancellor and Members of the Senate of the said University, who shall have full power to amend, or appeal, the same and make others in their stead.

Senate to make certain Reports to the Governor.

Copies to be laid before Parliament.

XXVI. It shall be the duty of the Senate of the said University, annually to report to the Governor, at such time as he shall report, on the general state, progress and prospect, of the University, and upon all matters touching the same, with such suggestions as they may think proper to make ; and the said Senate shall also, at all times, when thereunto required by the Governor, inquire into, examine and report upon any subject, or matter, connected with the said University ; and copies of such annual, or other, Reports shall be laid before both Houses of the Provincial Parliament at the then next Session thereof.

Provision as to certain Scholarships to be founded by the University and the several Counties in Upper Canada.

[XXVII. (*in Draft of Bill.*) AND WHEREAS it is expedient to stimulate the Youth of the Province, to avail themselves of the benefit of a University Education, by the establishment of a certain number of Scholarships in the said University for each County of Upper Canada, for the purpose of assisting, (as far as possible,) with pecuniary aid, those of the deserving Youth of each County, whose parents may be unable to meet the expense necessarily attendant upon such an education : —

[*Be it therefore enacted*, That it shall be the duty of the Chancellor, Vice-Chancellor and Members of the Senate of the University, to provide by Statute, for the establishment of four University Scholarships for each County in Upper Canada, so soon as the Funds of the said University shall permit, and to regulate everything appertaining to the election, rights, privileges and emoluments of the Scholars on whom the same shall be conferred :

1st Proviso.

[Provided always, nevertheless, *Firstly*, That the Scholars on whom such Scholarships shall be conferred, shall be entitled to attend all examinations in the said University, and enjoy all the advantages afforded therein, and to take any Honour, Degree, or Certificate of Proficiency, to which they may become entitled, without payment of any fee for the same ; and that two of the four Scholarships, so to be founded for each County, shall be endowed from the University Funds :

2nd Proviso.

[Provided also, *Secondly*, That no County shall be entitled to claim the benefit of the Scholarship to be so founded, or any of them, unless the Municipal Council of such County shall have provided permanently sufficient funds for the endowment of one, or both, of the Scholarships to be so founded, and not endowed from University Funds, according to the rate fixed by the said Senate ; and, upon such provision being made by the Municipal Council of any County, the Senate of the said University shall proceed to fill up either one, or both, of the said Scholarships according to the sum provided by the said Municipal Council, and shall, at the same time, according to circumstances, fill up either one, or both of the Scholarships to be endowed from University Funds ; it being the intention of this Act, that the Scholarships to be endowed from the University Funds shall only be filled up, so far and so long, as the several Counties respectively shall provide funds for the support of those to be endowed from those sources.

[Provided also, *Thirdly*, That the said Scholarships shall be filled up by the Senate of the said University upon public examination to be held before that Body of Examiners to be by the said Senate appointed, and the selection shall be made out of such a number of Youth of each County as shall have been admitted to contend for such Scholarships by the Certificate of the Municipal Council of such County : 3rd Proviso.

[Provided also, *Fourthly*, That no person shall be admitted as a Candidate for such Scholarships, unless he shall have received a Certificate of birth, or residence, from the Municipal Council of the County to which such Scholarships shall belong, as aforesaid : 4th Proviso.

[And Provided, *Fifthly*, That no person shall be deemed one of the Youth of any given County, within the meaning of this Section, unless he shall have been born in such County, or unless his parents, or surviving parents, or one of them, shall have been a stated resident of such County for five years continually prior to the granting of such Certificate, and shall, at the time of granting such Certificate, be still stated residents, or a stated resident thereof, or if they be both dead, then, unless they, or the survivor of them, shall have been stated residents for the five years next preceding, and at the time of their death, or the death of the survivor of them : 5th Proviso

[Provided also, *Sixthly*, That every such Certificate shall remain in force for one year from the granting thereof and no longer, after which it shall and may be renewed, if the party remains entitled to it, as at the first : and,— 6th Proviso.

[Provided also, *Seventhly*, and lastly, That it shall and may be lawful for the said Senate, and they are hereby requested to make provision for preserving all now existing Scholarships of the said University on their present footing for the space of five years next after the passing of this Act, for the benefit of such persons as have already commenced a course of study with a view to compete for the same, or have obtained any such Scholarships. The word "County," in this Section, shall include any union of Counties for Municipal purposes.] 7th Proviso. Interpre

University College Constituted.

XXVII. There shall be, and there is hereby constituted, at the City of Toronto, a Collegiate Institution by the name of University College, and the said College shall be under the direction, management and administration of a Body Corporate to be called the Council of University College, which shall have perpetual succession and a Common Seal, with power to hold real and personal property, subject to the provisions hereinafter made, and shall be capable of suing and being sued, pleading and being unpleaded, by the name aforesaid, and shall have other the usual powers of Corporate Bodies, according to the Interpretation Act, subject to the said provisions. University College constitute to be managed by a Council.

XXVIII. The said Corporation of University College shall consist of a President, Vice-President, and such Professors as may, from time to time, be appointed to Chairs in the University College ; [and not less than ten ordinary Members of the said Council, to be, from time to time, appointed by the Governor of this Province, by a Commission under His Hand and Seal-at-Arms, and for a term not exceeding two years ; but the Vice-President, and, at least, five Members of the Council shall be appointed in the first instance, for a term not exceeding one year, to the end that the term of office of one-half of the Members of the said Corporation may, in so far as may be found conveniently practicable, expire at the end of each year : Members of the Council.

Provided, That any Member may be removed by the Governor before the expiration of his term of office, but that any Member going out of office may, at the discretion of the Governor, be re-appointed forthwith, or any time thereafter.]

(The foregoing was part of Section XXXI in the original Draft of Bill.)

XXIX. The President, or, in his absence, the Vice-President, or, if both be absent, then the Senior Member of the Council present, shall preside at all Meetings of the Corporation, and in case of an equal division of votes among the Members present, the rule *presumitur pro negante* shall prevail ; and among Members appointed at the same time, the order in which their appointments shall have been made shall be their order of Seniority ; and all such Meetings shall be held at the times to be prescribed by the Statutes of the said College. Meetings of the Council. Chairman and etcetera.

XXX. Any five Members of the said Council shall be a Quorum for transacting all business of the Council, and doing all things which the said Council may Quorum.

Majority to decide.

lawfully do ; and all things done at any Meeting of the Council shall be ordered by the majority of the votes of the Members present thereat, subject to the provision hereinbefore made for the case of an equal division of votes.

Council to make Statutes for certain purposes.

XXXI. The said Council shall have full power and authority to make Statutes for the good government, discipline, conduct and regulation of the said College, and of the Professors, Teachers, Students, Officers and Servants thereof ; for regulating the Fees to be paid by Students, or persons, attending Lectures, or receiving instruction in the said College, and the times of regular Meetings of the Council, and, generally, for the management of the property and business thereof, and for any purpose necessary for carrying this Act into effect, according to its intent and spirit, in cases for which provision is made by this Act, so that such Statutes be not inconsistent with the provisions of this Act, or the Laws of this Province, and, from time to time, to amend, or repeal, the same : [and the said Council may by any such Statutes empower the said Professors, Lecturers and Teachers, or any of them, to make Regulations for the government of the said Students, Officers and Servants, and for the conduct and discipline of the said College, in such matters, and to such extent as may be limited in such Statutes, and subject to such control, or approval as may be therein mentioned]* :

Proviso: to have no force until approved by the Governor.

Provided always, that no Statute made by the said Council shall have force and effect until it shall have been submitted to the Visitor of the said College, and by him approved ; and a Certified Copy of all such Statutes shall be transmitted to the Provincial Secretary, within ten days from the passing thereof, to be submitted to the said Visitor for his approval.

Council to determine the branches of knowledge to be taught.

XXXII. There shall be in the said College such Professors, Lecturers, and Teachers, and there shall be taught in the said College such Sciences, Arts and branches of Knowledge as the Council shall, by their Statutes in that behalf, from time to time, determine, such Statutes being consistent with Statutes of the University of Toronto, as regards the prescribed subjects of Examination ;

Proviso : as to Divinity, Law and Medicine.

Provided always, that there shall be no Professor, or Teacher, of Divinity in the said College ; and that after the First day of January, One thousand, Eight hundred and Fifty-four, there shall be no Professorship, or Teachership, of Law, or of any of branches of Medicine, or Surgery, except in so far as the same may form part of a general system of a liberal Education.

President, Professor, and etcetera, to be appointed by the Governor.

XXXIII. The President and Vice-President, Professors, Lecturers, Teachers, Officers and Servants of the said College shall be appointed by the Governor of this Province, after such examination, inquiry and report, as he shall [require to be instituted and made to the Council of the College] *consider necessary, and such persons, so appointed*, shall hold office during his pleasure ; [but the Council shall have power to remove any of them from the exercise of their functions, until the pleasure of the Governor shall be known, reporting such suspension immediately to the Governor, with the reasons therefor.]

Proviso as to present Professors, and etcetera.

Provided always, that the President, Professors, Lecturers and Teachers of the University of Toronto, as now constituted, shall, until it be otherwise ordered, by the Governor, be the President, Professors, Lecturers and Teachers of University College, excepting after the said First day of January, One Thousand, Eight-hundred and Fifty-four, those, who may be Professors, or Teachers, of those subjects which are not, under this Act, to be taught in the said College.

No religious test, etcetera to be required.

XXXIV. No Religious Test, or profession of Religious Faith shall be required of any Professor, Lecturer, Teacher, Student, Officer, or Servant, of the said College, nor shall Religious Observances, according to the forms of any particular Religious Denonination, be imposed on them, or any of them ; but it shall be lawful for the Council to make such Regulations as they may think expedient, touching the moral conduct of the Students, and their attendance in Public Worship in their respective Churches, or other places of Religious Worship, and their receiving Religious Instruction from their respective Ministers, and according to their respective Forms of Religious Faith, and every facility shall be afforded for their so doing.

Professorships etcetera, may be founded by private parties and how.

XXXV. It shall and may be lawful for any person, or persons, body, or bodies politic, or corporate, whomsoever, to found such, and so many, Professorships Fellowships, Lectureships, Scholarships, Exhibitions, Prizes and other Rewards, in the said College, as they may think proper, by providing a sufficient Endowment in Land, or other Property, and surrendering, or conveying, the same to the Crown, for the purposes of the said College, and, thereupon, sueing out Letters

* Part of Section XXXIV in the original Draft of Bill.

Patent from the Crown, instituting, establishing and endowing the same with the Property so provided for that purpose, as aforesaid; in all which Letters Patent shall be set forth such Rules and Regulations, for the appointing to, and conferring of, such Professorships, Fellowships, Lectureships, Scholarships, Prizes, or other Rewards, as the respective Founders thereof, with the approbation of the Crown, shall think fit to prescribe for that purpose, all which Rules and Regulations, the authorities of the said College are hereby required to observe and give effect to, as in the said Letters Patent shall be directed; Provided always, that such endowment, as aforesaid, shall be vested in the Crown for the purposes for which it shall be given, as shall also any Property real, or personal, given, devised, or bequeathed, to the said College, or for the use thereof; And provided also, that no Professorship, or Lectureship, shall be so founded for the teaching of any subject which, under this Act, is not to be taught in the said College. Proviso.

XXXVI. The Governor of this Province shall be the Visitor of the said College, on behalf of the Crown, and his Visitorial powers may be exercised by Commission, under the Great Seal of this Province, and the proceedings of any Commission, so appointed, being confirmed by the Governor, shall be binding on the said College and the Council thereof, and on all persons whomsoever. Governor to be Visitor.

XXXII. It shall be the duty of the Council of the said College, annually to report to the Governor, at such time as he shall appoint, on the general state, progress and prospects of the College, and upon all matters touching the same, with such suggestions as they may think proper to make; and the said Council shall also, at all times, when thereunto required by the Governor, inquire into, examine and report, upon any subject, or matter connected with the said College; and copies of such annual, or other Reports, shall be laid before both Houses of the Provincial Parliament at the then next Session thereof. Council to report annually to the Governor. Copies to be laid before Parliament.

XXXVIII. All Terms kept, or studies, or exercises performed, in the University of Toronto, as now constituted, shall be valid and effectual, and shall be deemed to be Terms kept, or studies, or exercises, performed in University College; and the Statutes and Regulations of the said University in force, when this Act shall come into effect, shall remain in force and apply to University College, so far as they may be consistent with this Act, until repealed, or altered, by Statutes to be made under this Act. Terms etcetera, kept in the former University to avail to students.

Upper Canada College placed under the University Senate.

XXXIX. The Corporation of "The Principal Masters, and Scholars of Upper Canada College and Royal Grammar School", shall be dissolved and determined from the time this Act comes into force; and the said Institution and all the affairs and business thereof, shall be under the control, management and direction of the Chancellor, Vice-Chancellor and Members of the Senate of the University of Toronto, subject to the provisions of this Act. Present Corporation dissolved.

XL. The Governor of this Province shall be the Visitor of the said College and Royal Grammar School, on behalf of Her Majesty, and his Visitorial powers may be exercised by Commission, under the Great Seal of this Province, the Proceedings whereof, having been first confirmed by the Governor-in-Council, shall be binding upon the said College and Royal Grammar School, and upon the said Senate and all others whomsoever. Governor to be Visitor.

XLI. The said Chancellor, Vice Chancellor and Members of the Senate of the University of Toronto, shall have full power and authority to make Statutes for the good government, conduct and regulation of the said College and Royal Grammar School, and of the Principal, Masters, Pupils, Officers and Servants thereof, for regulating the fees to be paid by pupils receiving instruction in the said College, and, generally, for the management of the business and affairs thereof, and for any purpose necessary for carrying this Act into effect, according to its intent and spirit, in cases in which no provision is made by this Act, so that such Statutes be not inconsistent with the Provisions of this Act, or the Laws of this Province, and, from time to time, to amend, or repeal, the same; and the said Chancellor, Vice-Chancellor and Senate, may, by any such Statutes, empower the Principal to make Regulations for the government of the Masters and Pupils, Officers and Servants, and for the conduct and discipline of the said College and Royal Grammer School, in such matters and to such extent as may be limited in such Statutes and subject to such control, or approval, as may be therein mentioned; Provided always, that no Statute shall have force and effect until it shall have been submitted to the Visitor of the said College and Royal Grammar School, Senate of University to make Statutes for the Government of this Institution. Proviso: Statutes to have no force until approved by the Governor.

and by him approved ; and a Certified Copy of all such Statutes shall be transmitted to the Provincial Secretary, within ten days from the passing thereof, to be submitted to the said Visitor for his approval.

Principal, Masters and etcetera, how appointed.

XLII. There shall be in the College and Royal Grammar School, a Principal and such Masters, Officers and Servants, as shall, from time to time, be directed by any Statute relating to the said Institution, approved, as aforesaid, and the salary and emoluments attached to each such office, shall be, from time to time, fixed by a Statute of the Senate, and the said Principal, Masters, Officers and Servants shall be appointed by the Governor of this Province, and shall hold office during his pleasure : Provided always, that, until it shall be otherwise ordered by the Governor, the present Principal, Masters, Officers and Servants of the said Institution shall remain in office, and until it be otherwise ordered by Statute of the Senate, the Salaries and Emoluments attached to each office shall be those now attached to the same respectively.

Present Statutes and etcetera, to remain in force until repealed.

XLIII. All Statutes, Rules and Ordinances, of the said College and Royal Grammar School, in force at the time of the passing of this Act, and which are not inconsistent with the provisions thereof, shall be and continue in force, until repealed, altered, or amended, by some statute to be hereafter enacted or made by the Senate for that purpose.

No Religious test or profession to be required.

XLIV. No Religious Test, or profession of Religious Faith shall be required of any Principal, Master, Pupil, Officer, or Servant, of the said College, nor shall Religious Observances, according to the forms of any particular Religious Denomination be imposed on them, or any of them ; but it shall be lawful for the Chancellor, Vice-Chancellor and Members of the Senate of the University of Toronto, by Statute passed by such Senate, to make such Regulations as they may think expedient touching the moral conduct of the Pupils and their attendance in Public Worship in their respective Churches, or other places of Religious Worship, and their receiving Religious Instruction from their respective Ministers, and according to their respective forms of Religious Faith, and every facility shall be afforded for their so doing.

Certain Regulations may be made.

Senate to make Annual Reports to the Governor.

XLV. It shall be the duty of the Chancellor, Vice-Chancellor and Members of the Senate of the University of Toronto, annually to report to the Governor, at such times as he shall appoint, on the general state, progress and prospects of the College and Royal Grammar School, and upon all matters touching the same, with such suggestions as they may think proper to make ; and also, at all times, when thereunto required by the Governor, to inquire into, examine and report upon any subject, or matter, connected with the said College and Royal Grammar School ; and copies of such annual, or other, reports shall be laid before both Houses of the Provincial Parliament, at the then next Session thereof.

Copies to be laid before Parliament.

Management of the Endowment and Property of the University.

The property of the said Institution to be vested in the Crown for the purposes of this Act.

XLVI. All the Property and Effects, real, or personal, of what nature, or kind, soever, now belonging to, or vested in, the Corporation of the Chancellor, Masters and Scholars of the University of Toronto, or in the Corporation of the Principal, Masters and Scholars of Upper Canada College and Royal Grammar School, or in any Person, or Persons, body, or bodies, politic, or corporate, in trust for the said Corporations, or either of them, shall, from and after the coming into force of this Act, be, and the same, and every part thereof, are hereby transferred to and vested in Her Majesty, Her Heirs and Successors, for the purposes of this Act, and shall, as shall also all Deeds, Titles, Accounts, Books, Maps, Plans, Documents and Writings belonging to, or relating to the same, be forthwith delivered up by any Person, or Persons, Officer, or Officers, as the Governor of this Province shall appoint, or authorize, to receive the same ; and every Right, Title, Claim, or Demand, of either of the said Corporations to any real, or personal, property, debt, or sum of money, shall be, and is hereby, vested in the Crown : and any suit of proceeding for the recovery thereof may be brought, or continued, by, and in the name of, the Crown, upon suggesting of the passing of this Act ; and every debt due by, or claim upon either of the said Corportions may be paid, or satisfied, by the Crown out of the property transferred, as aforesaid ; and all property, real or personal, which shall be hereafter given, devised, or bequeathed, to, or for, the use of either of the said Institutions, or to, or for, the use of [University College] *any of the Institutions herein named and provided for*, shall be vested in the Crown for the purposes of this Act.

XLVII. The said property, real, or personal shall be managed and administered, under the orders of the Governor-in-Council, by an Officer to be appointed by Commission, under the Great Seal of this Province, to hold his Office during pleasure, and to be called the Bursar of the University and Colleges at Toronto; and the Salary of the said Bursar shall be fixed by the Governor in-Council at such amount, not exceeding Four Hundred Pounds, (£400 = $1,600,) Halifax Currency per annum, as to him shall seem meet, and the said Bursar shall be allowed by the Governor-in-Council such assistance in his Office as may be found necessary; and the said Bursar shall have a Seal of Office, and shall have such powers as shall, from time to time, be assigned to him by the Governor-in-Council, for the management and administration of the said property, the leasing of the same, or making agreements for the sale thereof, and the receiving of the rents, issues and profits thereof, or the proceeds of the sale of any part thereof, or any moneys in any way arising therefrom, and shall account for, and pay over the same in such manner as the Governor shall, from time to time, direct, and shall give security to the Crown for the due performance of his duties, and the faithful accounting for, and paying over, of all moneys which shall come into his hands as such Bursar, in such amount, with such securities, and in such manner and form as the Governor-in-Council shall direct; and the said Bursar shall, as regards his obligations to account for and pay over all moneys coming into his hands as such, be deemed to be an Officer employed in the collection of the Provincial Revenue, and shall, in case of his default, be liable to be dealt with accordingly; and the said Bursar shall make and transmit to the Governor, and, at such time in each year as he shall appoint, an annual account of the property under his management, and of his official receipts and expenditures; and a copy of each account shall be laid before each House of the Provincial, Parliament at the then next Session thereof: And each such Annual Account shall shew, among other things:—

The said property to be managed by a Bursar, under the direction of the Governor-in Council.

Powers and Duties, of the Bursar.

Bursar to transmit annual accounts to the Governor, to be laid before Parliament.

What such accounts must shew.

1. The number of acres of Land originally granted for the Endowment of the said University, or the said Upper Canada College and Royal Grammar School;

2. The number of Acres sold, and at what rate: the total amount of sales the amount received on account thereof, and the amount due thereon;

3. The amount of Capital invested, and the amount expended to the end of the preceding year;

4. The Amount received and a detailed account of the amount expended for the preceding year in Salaries, Contingent Expenses and Buildings, specifying the duties of the persons receiving such salaries, and the purposes of such Buildings.

NOTE. The following Section is a new one, and was not contained in the original Draft of Bill, as submitted to the House of Assembly by the Honourable Francis Hincks.

XLVIII. And, in order to facilitate the transfer and conveyance of the property by this Act transferred to, and vested in, Her Majesty, it shall be lawful for the Governor, from time to time, to issue a Commission under the Great Seal of the Province, to the Bursar of the University and Colleges at Toronto aforesaid, authorizing the said Bursur, under his hand and seal of office, to transfer and convey any such property to purchasers and others entitled to receive conveyances thereof; and that all such transfers and conveyances, may be made according to the form provided in the Schedule to this Act, or in words to the like effect;* and the same shall, to all intents and purposes, as effectually grant, transfer and convey the lands therein set forth, to the parties therein specified, according to the quality of the estate and the conditions and provisions therein mentioned, in the same manner, and with the like effect, as if the same had been directly granted by the Crown, under the provisions of this Act:

Provisions for facilitating the transfer of property sold.

Proviso.

Provided, That nothing herein contained shall be held to prevent the Crown from granting such Lands directly:

Proviso.

And Provided further, That all such Transfers and Conveyances shall be registered in the Registry Office of the County in which the Lands shall be situate, in like manner, and subject to the same provisions of law, as Conveyances from and to private parties.

XLIX. The fees received for Tuition Examination, Degrees, Certificates of Honour, or otherwise, in the said University, in University College, and in Upper Canada College and Royal Grammar School, or such part thereof as shall be pay-

General Income Fund constituted.

* This Schedule, being a merely formal document is omitted.

able into the general funds thereof, the rents, issues and profits of all such property, as aforesaid, and all the interest on the purchase money of any part of such property sold, and not wholly paid for, or on moneys arising from the sale of any such property and invested at interest, and all other casual and periodical incomings including any Donations, or Subscriptions, touching which it shall not be otherwise ordered by the Donors, shall be deemed Income for the purposes of this Act, and shall form the General Income Fund, and may be expended for the purposes, and under the authority, of this Act ; but the purchase money of any such property sold, and the principal of any money invested, shall be deemed permanent property, and shall not (except only in the case hereinafter provided for,) be expended, or diminished, in any way, but shall remain as a Permanent Fund for the support of the said Institutions and the purposes of this Act.

Permanent Fund defined.

Income Fund of U. C. College and Grammar School.

L. [LII. (*Part of Bill*) The Income] *That part of the General Income Fund which shall be* derived from property heretofore vested in the Corporation of Upper Canada College and Royal Grammar School, *or for other property held for the use of, or from fees received in the said College and Grammar School, and payable into the General Funds thereof shall be applied to defray the current expenses of the said Institution only, and shall form the special* Income Fund thereof, and shall be applied, under the direction of the Governor-in-Council, to defray the current expenses of the said College and Grammar School and those to be incurred in the management of the Endowment *and Funds* thereof, and the maintenance and repairs of property assigned for its use, and the Surplus, if any, after defraying all charges thereon, shall from part of the Permanent Fund aforesaid, and shall be invested in such manner as the Governor-in-Council shall direct : And all moneys forming part of the said Permanent Fund, and arising from such surplus, as aforesaid, or from property heretofore vested in the said Corporation, shall be permanently appropriated to the support of the said Upper Canada College and Royal Grammar School.

Permanent Fund of the same.

University Income Fund : and charges payable out of it.

LI. Out of the remainder of the General Income Fund, (which remainder shall be called the University Income Fund,) after paying the charges of management, as hereinafter mentioned, it shall be lawful for the Governor-in-Council to appropriate yearly, such sum as shall be required to defray the current expenses of the said University of Toronto, including Scholarships, Rewards and Prizes authorized, by the Twenty-third and Twenty-fourth Sections of this Act, and to defray the current expenses of University College ; including, in both cases, the care, maintenance and ordinary repairs of the property assigned for the use of the said University, or College, and with power to the Governor-in-Council to decide what shall be deemed ordinary repairs, as distinguished from permanent improvements.

[LIII. (*Part of the Draft of Bill.*) A sum of . . . . . to be divided among the several Colleges in Upper Canada, not exercising the power of granting Degrees except in Divinity, and affiliated to the said University and receiving pecuniary aid from the Legislature for the same year, the sum awarded to each such College, being in proportion to the amount of such aid received by it :

[Provided, *Firstly*, That the receipt of any portion of such sum by any College, shall be held to imply an abandonment by such College of any clause in its Charter providing for, or authorizing, any Religious Test, or Profession of Faith, on the part of any Student in such College, or of any Professor, or Teacher, therein, except the Professor of Divinity, and to be a declaration by such College that no such Religious Test, or Profession of Faith, shall be required of any Professor, Teacher, or Student, except as aforesaid.

[Provided, *Secondly*, That the sum received by any such College, under this Section, shall be applied exclusively to the payment of the Salaries of Professors and Teachers, employed in such College in teaching those Branches of Knowledge, and those only, which shall form part of the Course of Study prescribed by the Statutes of the University of Toronto for Candidates for Degrees, or Certificates of Proficiency, and that no part of such sum shall be applied to pay the salary, or remuneration, of any Professor, or Teacher of Law, or of Medicine, Anatomy, or other subject immediately connected with the study and practice of Medicine, or Surgery ; and,—

[Providedly, Thirdly, and lastly, That the Senate of the University may require from any College in Upper Canada, receiving aid from the said Income Fund, or from Parliament, a Statement shewing the manner in which the sum received, as such aid shall have been expended, and such Statement shall be embodied in the then next annual Report of the Senate.

[A Sum of . . . . towards the support of Scholarships, to be granted under the provisions of the Twenty-seventh Section of this Act, and . . .]

LII. In making such appropriations for the current expenses of the said University, or of University College, or of Upper Canada College and Royal Grammar School, it shall be lawful for the Governor-in-Council either to direct the particular purposes to which the whole, or any part of the sum appropriated shall be applied, or to place the whole, or any part, of such sum at the disposal of the Senate of the said University, or of the Council of the said Upper Canada College, to be applied under the provisions of Statutes in that behalf, approved, as aforesaid, and by which Statutes the said Senate, or Council, may place any sum, or sums, at the disposal of any Committee, or person, or persons, to be applied by them, or him, according to the directions of such Statutes, or, in their discretion, to purposes to be therein named. In what manner and form appropriations out of the said funds may be made.

LIII. It shall be lawful for the Governor-in-Council, to cause to be paid out of the said University Income Fund, a sum not exceeding one year's Salary at the present rate, to each of those Professors in the now University of Toronto, who will not, under the Thirty-third Section of this Act, be Professors in University College, and who shall resign their Chairs as such Professors in the University of Toronto, on, or before, the First day of July, One Thousand Eight Hundred and Fifty-three; such allowance to be payable at such time, after the said First day of July, as the Governor-in-Council shall appoint. Allowances to present Professors who shall retire from office, on or before, 1 July, 1853.

LIV. Any surplus of *the said University* Income Fund remaining at the end of any year, after defraying the expenses payable out of the same, shall, [be invested by the Bursar, under the orders of the Governor-in-Council, in Public Provincial Securities, and not otherwise, and shall then form part of the Permanent Fund; and all sums of money received by the said Bursar, and forming part of the Permanent Fund aforesaid, shall be invested in like manner; and any such Securities may, under such order as afore aid, be exchanged, sold or otherwise disposed of by the said Bursar], *and constitute a Fund to be, from time to time, appropriated by Parliament for Academical Education in Upper Canada.* Surplus to be appropriated hereafter.

LV. The expenses of the Bursar's Office, and the management of the property aforesaid, shall be paid out of the said General Income Fund hereinbefore mentioned, and shall be the first charge thereon, and the Governor-in-Council shall, from time to time, determine what share thereof shall be paid out of that portion of the said Fund belonging to Upper Canada College and Royal Grammar School. Expenses of Bursar's office how paid.

LVI. The Governor-in-Council shall, from time to time, assign for the use and purposes of the said University of the said University, College and of Upper Canada College and Royal Grammar School, respectively, such portions of the property hereby vested in the Crown as may be necessary for the convenient accomodation and business of the said Institutions respectively; and the property so assigned, for the use of each, shall be deemed to be in the legal possession and under the Control of the Senate, or Council, of such Institution. Portions of property to be assigned for use of said Institution.

LVII. The Governor-in-Council may authorize such permanent improvements, or additions to the Buildings on the said property as may be necessary for the purposes of the said Institutions respectively, and may direct the cost thereof to be paid out of that part of the Permanent Fund aforesaid, hereby made applicable to the support of the Institution for the purposes of which the improvement, or addition, is made. Governor-in-Council may authorize improvements.

LVIII. For all the purposes of this Act and of all accounts to be kept and payments, or expenditure, to be made under it, the fiscal year shall coincide with the calendar year. Fiscal year to be the calendar year.

[*LIX.* (*In Draft of Bill.*) This Act shall come into force and effect upon the — day of — One Thousand, Eight Hundred and Fifty-three, and not before.]

NOTE. The following Act, designed to make special provision for certain wants, as well as practical defects, in the Common School System of Upper Canada, was prepared and passed early in the Parliamentary Session of 1852, 1853. It was purposely temporary and tentative in its character, and its duration was limited to five months, until a more comprehensive and carefully prepared Bill could be drafted. This was done early in 1853; and, in March, 1853, such a Bill, prepared by the Chief Superintendent of Education, was introduced into the House of Assembly by the then Mr. Attorney-General W. B. Richards,

(afterwards a Chief Justice). This Draft of Bill, "Supplementary," as it was, (and was so styled), to the School Act of 1850, embodied all the useful portions of the previous temporary Act, and also several additional provisions designed to furnish further facilities for the growth and expansion of the School System of the Province. Its financial provisions were generous, and comprehensive, and included special grants to four special objects amounting to nearly Thirty thousand dollars. In the next Chapter of this Volume the original Draft of the following School Act will be inserted.

16TH VICTORIA, CHAPTER XXII.

AN ACT TO MAKE CERTAIN PROVISIONS WITH REGARD TO COMMON SCHOOLS IN UPPER CANADA FOR A LIMITED PERIOD.

THE EARL OF ELGIN AND KINCARDINE, GOVERNOR-GENERAL.

(Received the Royal Assent on the 10th of November, 1852.)

Preamble.

WHEREAS it is expedient to make some further provision for the improvement of Common Schools in Upper Canada, and to modify, and extend, some of the provisions of the Act: Thirteenth and Fourteenth Victoria, Chapter Forty-eight, intituled: "An Act for the Better Establishment and Maintenance of Common Schools in Upper Canada;"

13 and 14 Vict. ch. 48, cited.

Imperial Act of 1840.

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled: An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada, and it is hereby enacted by the authority of the same.

Powers of School Trustees extended.

I. That the Board of School Trustees in each City, Town and Incorporated Village, shall, in addition to the powers with which they are now legally invested, possess and exercise, as far as they shall judge expedient, in regard to each such City, Town and Incorporated Village, all the powers with which the Trustees of each School Section are, or may be invested, by law, in regard to each such School Section.

How Trustees shall provide for School expenses.

II. *And be it enacted*, That the Trustees of each School Section, shall, as the elected Representatives of such Section, determine the manner in which all the School expenses of such Section shall be provided for, whether by any, or all, of the three authorized methods of Voluntary Subscription, Rate-bill for each pupil attending the School, or by Rate upon Property:

Proviso: as to number of children.

Provided always *Firstly*, That no Rate shall be imposed upon the inhabitants of any School Section according to the whole number of children, or of the number of children of legal school age, residing in such Section:

Proviso: for Register and Visitors' book and Educational Periodical.

Provided, *Secondly*, That the Trustees of each School Section shall see that each School under their charge is, at all times, duly provided with a Register and Visitors' Book, in the form prepared according to law; nor shall any School Section, in which such Books are not provided and duly kept, or in which a Periodical devoted to Education is not taken by the Trustees, as required by law, be entitled to receive aid from the Common School Fund:

Proviso: Union of School to Grammar School.

Provided, *Thirdly*, That the Trustees of each School Section shall have authority to take such steps as they may judge expedient to unite their School with any Public Grammar School, which shall be situated within, or adjacent to, the limits of their School Section.

Proviso: Trustees responsible for moneys forfeited.

Application of moneys forfeited.

Provided, *Fourthly*, That the Trustees of each School Section shall be personally responsible for the amount of any School moneys which shall be forfeited and lost to such School Section during the period of their continuance in office, in consequence of their neglect of duty; and the amount thus forfeited, or lost, shall be collected and applied in the manner provided by the Ninth Section of the said Act of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight, for the collection and application of the fines imposed by the said Section.

Provided *Fifthly*, That the Trustees of each School Section, shall, each personally forfeit the sum of One pound, five shillings for each and every week that they shall neglect, after the Fifteenth day of January in each year, to prepare and forward to their Local Superintendent of Schools their School Report, as required by law, for the year ending the Thirty-first day of December, immediately preceding; and which sum, or sums, thus forfeited, shall be sued for by such Local School Superintendent, and collected and applied in the manner provided by the proviso of the Section immediately preceding: Penalty on Trustees not forwarding their report. How applied.

Provided, *Sixthly*, That no Agreement between Trustees and a Teacher in any School Section made between the first day of October and the second Wednesday in January, shall be valid, or binding, on either party after the second Wednesday in January, unless such Agreement shall have been signed by the two Trustees of such School Section, whose period of Office shall extend to one year beyond the second Wednesday of January, after the signing of such Agreement. Agreements between Trustees and Teachers not valid in certain cases.

III. *And be it enacted*, That the Trustees of each School Section shall have the same authority to assess and collect Rates for the purpose of purchasing School Sites and the erection of School Houses, with which they are, or may be, invested by law to assess and collect for other School purposes: Trustees to assess for School Sites.

Provided always, That they shall take no steps for procuring a School Site, on which to erect a new School House, or changing the site of a School House, established, or that may be hereafter established, without calling a Special Meeting of the Freeholders and Householders of their Section to consider the matter; and, if a majority of such Freeholders and Householders present at such Meeting differ from a majority of the Trustees, as to the Site of a School House, the question shall be disposed of in the manner prescribed by the Eleventh Section of the said Act of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight. Proviso: meeting to be called.

IV. *And be it enacted*, That any person residing in one School Section, and sending a child, or children, to the School of a neighboring School Section, shall be liable for the payment of all Rate-Bills and Rates for the School purposes of the Section in which he resides, the same as if he sent his child, or children, to the School of such Section; and such child, or children, shall not be returned as attending any other than the School of the Section in which the parents, or guardians, of such child, or children, reside. Persons sending children to other Schools liable for rate in their School Section.

V. *And be it enacted*, That any person who has been, or may be appointed Local Superintendent of Schools shall continue in office, (unless he resigns, or is removed from office, for neglect of duty, improper conduct or incompetency,) until the First day of April of the year following that of his appointment, and during the pleasure of the Council appointing him: Local Superintendent to continue in office.

Provided always, That no Local Superintendent shall be a Teacher, or Trustee, of any Common School during the period of his being in office: Shall not be a teacher.

Provided; *Secondly*, That no Local Superintendent shall be required, (unless he shall judge it expedient, and except, with a view to the adjustment of disputes,) to make more than two official Visits to each School Section under his charge, one of which Visits shall be made some time between the First day of April and the First day of October, and the other, sometime between the First day of October and the first day of April: Powers and obligations of Local Superintendents.

Provided, *Thirdly*, That the Local Superintendents of adjoining Townships shall have authority to determine the sum, or sums, which shall be payable from the School Apportionment and Assessment of each Township in support of Schools of Union School Sections, consisting of portions of such Townships; and they shall also determine the manner in which such sum, or sums, shall be paid:

Provided, *Fourthly*, That, in the event of one person being Local Superintendent of both of the Townships concerned, he shall act in behalf of such Townships; and, in the event of the Local Superintendents of Townships thus concerned not being able to agree as to the sum, or sums, to be paid to each such Township, the matter shall be referred to the Chief Superintendent of Education for final decision:

Provided, *Fifthly*, That each Local Superintendent of Schools shall have authority to appoint the time and place of a Special School Section Meeting, at any time and for any lawful purpose, should he deem it expedient to do so, and should the Trustees refuse to call such Meeting;

Provided, *Sixthly*, That each Local Superintendent of Schools shall have authority, within twenty days after any Meeting for the election of Common School Trustees, within the limits of his charge, to receive and investigate any complaint

respecting the mode of conducting such Election, and to confirm it, or set it aside, and appoint the time and the place of a new Election, as he shall judge right and proper :

7th Proviso. Provided, *Seventhly*, That each Local Superintendent shall have authority, on due examination, (according to the Programme authorized by law for the Examination of Teachers,) to give any Candidate a Certificate of Qualification to teach a School within the limits of the charge of such Superintendent, until the next ensuing Meeting (and no longer,) of the County Board of Public Instruction of which such Local Superintendent is a Member ; but no such Certificate of Qualification shall be given a second time, or shall be valid, if given a second time, to the same person in the same County :

8th Proviso. Provided, Eighthly, That, in the event of a Local Superintendent of Schools resigning his office, the Warden of the County, or Union of Counties, within which such Superintendent shall have held office, shall have authority, if he shall deem it expedient, to appoint a fit and proper person to the office thus vacated until the next ensuing Meeting of the Council of such County, or Union of Counties.

How Elections for School Trustees shall take place. VI. *And be it enacted*, That, in any Village in Upper Canada, which shall become incorporated according to Law, an Election of a Board of School Trustees for such Village shall take place as soon as convenient, in the manner provided and authorized for Incorporated Villages in the Twenty-fifth Section of the said Act of 1850 : Thirteenth and Fourteenth Victoria, Chapter Forty-eight ;

Proviso. Provided always, That the time of the first Election of such Board of School Trustees, shall be fixed by the Reeve of such Village, or, in case of his neglecting to do so for one month, then by any two Freeholders in such Village, on giving six days' notice, in at least three public places in such Village :

Proviso. Provided also, That all Elections of School Trustees that have taken place in Villages, which have been incorporated since One Thousand Eight Hundred and Fifty, shall be and are hereby confirmed, and the acts of Boards of School Trustees, so elected in such Villages, are hereby made as valid as if such Boards had been elected for Villages, incorporated before One Thousand Eight Hundred and Fifty ; and, in all cases, the Chairman to be elected by the Trustees from their own body, shall have a right to vote at all times, and also, a second, or casting, vote, in cases of equality of votes.

Voters objected to shall make a declaration. VII. *And be it enacted*, That, in case of the right of any person to vote at an Election of a Trustee, or Trustees, in any City, Town, or Incorporated Village, be objected to, the Returning Officer presiding at such Election shall require the person, whose right of voting is thus objected to, to make the following declaration :

Form of Declaration. I do declare and affirm that I have been rated on the Assessment Roll of this City, (Town, or Village, as the case may be,) as a Freeholder, (or Householder, as the case may be,) and that I have paid a tax in this Ward, (or Village, as the case may be,) within the last Twelve Months, and that I am legally qualified to vote at this Election.

And the person making such declaration shall be permitted to vote ;

False declaration to be a misdemeanour. Provided always, That any person who shall, on the complaint of any person, be convicted of wilfully making a false declaration of his right to vote shall be deemed guilty of misdemeanor, and punishable by fine and imprisonment in the manner provided for similar cases in the Seventh Section of the said Act of 1850 : Thirteenth and Fourteenth Victoria, Chapter Forty-eight.

Provisions 13 and 14, V. c. 48, contrary to this Act repealed. VIII. *And be it enacted*, That such of the provisions of the Act of 1850 : Thirteenth and Fourteenth Victoria, Chapter Forty-eight, as are contrary to the provisions of this Act, shall be and are hereby repealed.

Act to apply to current year. IX. *And be it enacted* That the provisions of this Act shall apply to all school affairs and to all persons referred to in the said provisions, for the current year.

Duration of Act. X. *And be it enacted*, That this Act shall be, and continue, in force until the First day of April next, and not after.

NOTE. The foregoing, being a temporary, and merely tentative, Act, its duration was limited to five months. The following comprehensive Act includes the practical provisions of this temporary one, and also a number of others,—the result of careful observation on the operation and working of the School Act of 1850. That Act was, in itself a great improvement on its predecessors, and inauguarated a new departure in School legislation. The following

Act of 1853, however, embodies the result of the matured experience of the Chief Superintendent of Education and also that of many of the Local School Superintendents in different parts of the Province.

16TH AND 17TH VICTORIA, CHAPTER CLXXXV.

AN ACT SUPPLEMENTARY TO THE COMMON SCHOOL ACT FOR UPPER CANADA OF 1850.

THE EARL OF ELGIN AND KINCARDINE, GOVERNOR GENERAL.

[Received the Royal Assent on the 14th of June, 1853.

(NOTE.—The parts of this Act which were omitted in the Legislature are inserted in square brackets, and the additions are printed in italic type.)

Preamble. WHEREAS it is expedient to make some further provision for the Improvement of Common Schools in Upper Canada, and to modify and extend some of the provisions of the Act passed in the Session held in the Thirteenth and Fourteenth Years of Her Majesty's Reign, Chaptered Forty-eight, and intituled : An Act for the Better Establishment and Maintenance of Common Schools in Upper Canada," hereinafter called : "the Upper Canada School Act of 1850" :

13th & 14th Vict, Chap. 48

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled : "An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada," and it is hereby enacted by the authority of the same :

Imperial Act of 1840.

Boards of School Trustees Cities and Towns to have the powers of Trustees of School Sections.

I. That the Board of School Trustees in each City, Town and Incorporated Village, shall, in addition to the powers with which they are now legally invested, possess and exercise, as far as they shall judge expedient, in regard to each such City, Town and Incorporated Village, all the powers with which each School Section are, or may be, invested by law, in regard to each such School Section :

Proviso : as to Chairmen of such Boards.

Provided always, that the Chairman of each such Board of School Trustees shall be elected by the Trustees from their own number, and shall have a right to vote at all times, and [shall also have a second, or casting vote, in case of an equality of votes.], *in case of an equality of votes, the maxim: praesumitur pro negante, shall prevail.*

Elections of Boards of Trustees in Villages.

II. *And be it enacted.* That in any Village, *or Town not divided into Wards,* in Upper Canada, which shall become incorporated, according to Law, an Election of a Board of School Trustees for such Village, *or Town,* shall take place at the time specified in the Second Section of the said Upper Canada School Act of 1850 ;

1st Proviso : as to the calling of meeting for such elections.

Provided always, That the first Election of such Board of School Trustees shall be called by the Returning Officer appointed to hold the first Municipal Election in such Village *or Town,* or, in case of his neglecting to do so for one month, by any two Freeholders in such Village, *or Town,* on giving six days' notice, in, at least, three public places in such Village, *or Town* ;

2nd Proviso : Elections in certain places confirmed.

Provided also, That all Elections of School Trustees that have taken place in Villages and Towns, not divided into Wards which have been Incorporated since One Thousand Eight Hundred and Fifty, shall be, and are hereby, confirmed, and the Acts of Boards of School Trustees, so elected, in such Villages and Towns, are hereby made as valid as if such Boards had been elected for Villages and Towns incorporated before One Thousand Eight Hundred and Fifty :

3rd Proviso : amendment to proviso 2, of Sect. 26, 13 & 14 Vict., cap 48.

Provided likewise, That, in the words "two years," which occur in the Second proviso of the Twenty-fifth Section of the said Act, the word "three" shall be substituted for the word "two," and the said proviso shall be held to have, and to have had, effect, as if the word "three" had been originally inserted therein, instead of the word two :

4th Proviso : Construction of Act of 1850.

Provided, nevertheless, That the Twenty-fifth and Twenty-sixth Sections of the said Act, shall be construed to apply to all such Boards of School Trustees.

Declaration to be made by any person offering to vote at Election of Trustees, if his vote be objected to

III. *And be it enacted*, That, in case *an objection be made to* the right of any person to vote at an Election of a Trustee, or Trustees, in any City, Town, or Incorporated Village, [be objected to], *or upon any other subject in connection with School purposes*, the Returning Officer presiding at such Election shall require the person whose right of voting is thus objected to, to make the following declaration :—

Form of it.

I do declare and affirm that I have been rated on the Assessment-Roll of this City (Town, or Village, as the case may be) as a Freeholder, (or Householder, as the case may be), and that I have paid a Public School Tax in this ward, (or Village, as the case may be,) within the last twelve months, and that I am legally qualified to vote at this Election.

And the person making such declaration shall be permitted to vote :

Proviso : punishment for false declaration.

Provided always, That any person who shall, on the complaint of any person, be convicted of wilfully making a false declaration of his right to vote, shall be deemed guilty of misdemeanor, and punishable by fine and imprisonment, in the manner provided for similar cases in the Seventh Section of the said Upper Canada School Act of 1850.

Provisions Relating to Separate Common Schools.*

Persons sending their children to Separate Schools or subscribing an amount thereto equal to what they would otherwise have to pay for Common Schools exempted from payment of rates imposed for Common Schools. Separate Schools to share in Legislative Grant only and in what proportion.

IV. *And be it enacted*, That in all Cities, Towns and Incorporated Villages and School Sections, in which Separate Schools do, or shall, exist, according to the provisions of the Common School Acts of Upper Canada, persons of the Religious Persuasion of each such Separate School sending children to it, or supporting such School, by subscribing thereto annually an amount equal to the sum which each such person would be liable to pay, (if such Separate School did not exist,) on any assessment made to obtain the annual Common School Grant for each such City, Town, Incorporated Village, or Township, shall be exempted from the payment of all Rates imposed for the support of the Common Public Schools of each such City, Town, Incorporated Village, or School Section, and of all Rates imposed for the purpose of obtaining the Legislative Common School Grant for such City, Town, Incorporated Village, or Township ; and each such Separate School shall share in such Legislative Common School Grant only, (and not in any School Money raised by Local Municipal Assessment,) according to the average attendance of pupils attending each such Separate School, (the mean attendance of pupils for the Winter and Summer being taken,) as compared with the whole average attendance of pupils attending the Common Schools in each such City, Town, Incorporated Village, or Township ; and a Certificate of Qualification signed by *the majority* [any one] of the Trustees of such Separate School shall be sufficient for any Teacher of such School :

Qualification of Teachers.

1st Proviso. Exemption.

Provided always, *Firstly*, That the exemption from the payment of such School Rates, as herein provided, shall not extend beyond the period of such persons sending children to, or subscribing, as aforesaid, for the support of such Separate School :

2nd Proviso : Returns from Separate Schools

Provided *Secondly*, That the Trustees of each such Separate School shall, on, or before, the Thirtieth day of June, and Thirty-first day of December of each year, transmit to the Local Superintendent of Schools, a [list] *correct return* of the names of all persons of the Religious Persuasion of such Separate School, who shall have sent children to, or subscribed, as aforesaid, for the support of such Separate School during the six months previous, and the names of the children sent, and amounts subscribed by them respectively, together with the average attendance of pupils in such Separate School during such period ; *And the Local Superintendent shall forthwith make a return to the Clerk of the Municipality, and to the Trustees of the School Section, or Municipality, in which such Separate School is established, stating the names of all the persons, who, being members of the same Religious Denomination, contribute, or send children, to such Separate School ; and the Clerk shall not include in the Collector's Roll for the general, or other School, Rate, and the Trustees, or Board of Trustees, shall not include in their School Rolls, except for any Rate for the building of School Houses undertaken before the establishment of such Separate School, as herein mentioned, the name of any such person as appears upon such Return, then last received from the said Local Superintendent ; and the Clerk, or other Officer of the Municipality, within which such Separate School is established, having possession of the Assessor's or Collector's, Roll of the said Municipality,*

* For Correspondence by Telegraph and by Letter, in regard to this portion of the Act between the Honourable W. B. Richards, Attorney General, who had charge of the Bill on which this Act was founded, see the next Chapter in this Volume.

is hereby required to allow any one of the said Trustees, or their authorized Collector, to make a copy of such Roll, as far as it shall relate to their School Section :

3rd Proviso : Sect. 13, of 13 and 14 Vict. c. 48, to apply.

Provided *Thirdly*, That the provisions of the Thirteenth Section of the said Upper Canada School Act of 1850, shall apply to the Trustees and Teachers of Separate Schools, the same as to Trustees and Teachers of other Common Schools :

4th Proviso : Trustees of Separate Schools may levy Rates.

Provided *Fourthly*, That the Trustees of each such Separate School shall *be a Corporation and shall* have the same power to *impose*, levy and collect School Rates, or Subscriptions, *upon and* from persons sending children to, or subscribing towards the support of, such Separate School as the Trustees of a School Section have to *impose*, levy and collect School Rates, or Subscriptions, from persons *having Property in such Section, or* sending *children* to, or subscribing towards the support of the Common School of such Section :

5th Proviso : from what time this section shall have effect.

Provided *Fifthly*, That the foregoing provisions in this clause shall take effect from the First day of January [1853], *One thousand, Eight hundred and Fifty-three*, and shall extend to the Separate Schools established, or intended to be established, under the provisions of the Upper Canada Common Schools Acts :

6th Proviso : as to voting at elections of Trustees.

Provided *Sixthly*, That no person belonging to the Religious Persuasion of such Separate School, and sending a child, or children, thereto, or subscribing towards the support thereof, shall be allowed to vote at the Election of any Trustee for a Public Common School in the City, Town, Incorporated Village, or School Section, within the limits of which such Separate School shall be situate.

Trustees of each School Section to transmit a certain report annually, etc.

V. *And be it enacted*, That the Trustees of each School Section shall, on or before the Thirtieth day of June, and the Thirty-first day of December, in each year, transmit, [verified by the oath of their Teacher, before a Justice of the Peace] to the Local Superintendent *a correct return* of the average attendance of pupils in the School, or Schools, under their charge during the six months then immediately preceding ; nor shall any School Section be entitled to the apportionment from the School Fund for the said six months, the Trustees and Teacher of which shall neglect to transmit to the Local Superintendent a verified statement of such average attendance of pupils in their School, or Schools ;

Proviso.

Provided always, That nothing herein contained shall be construed to repeal the provisions of the Thirty-first Section of the said Upper Canada School Act of 1850.*

Trustees may assess for School Houses and sites therefor.

VI. *And be it enacted*, That the Trustees of each School Section shall have the same authority to assess and collect, *School* Rates for the purpose of purchasing School Sites and the erection of School Houses, as they are now, or may be, invested with by law to assess and collect Rates for other School purposes :

Proviso : Special meeting to be held.

Provided always, That they shall take no steps for procuring a School Site, on which to erect a new School House, or changing the Site of a School House established, or that may be hereafter established, without calling a Special Meeting of the Freeholders and Householders of their Section to consider the matter ; and, if a majority of such Freeholders and Householders, present at such Meeting, differ from a majority of the Trustees, as to the Site of a School House, the question shall be disposed of in the manner prescribed by the Eleventh Section of the said Upper Canada School Act of 1850 :†

Proviso.

Provided, That such Trustees shall, whenever they impose any Rate for School purposes, make a return to the Clerk of the Municipality of the amount of the Rate so imposed by them.

Trustees to see that each School has a Registry and Visitors' Book.

VII. *And be it enacted*, That the Trustees of each School Section shall see that each School under their charge is, at all times, duly provided with a Register and Visitors' Book, in the form prepared according to law.

Uniting Common Schools with Grammar Schools.

VIII. *And be it enacted*, That the Trustees of each School Section shall have authority to take such steps as they may judge expedient to unite their School with any public Grammar School, which shall be situate within, or adjacent to, the limits of their School Section.

Responsibility of Trustees for money lost through their neglect.

IX. *And be it enacted*, That the Trustees of each School Section shall be personally responsible for the amount of any School moneys which shall be forfeited and lost to such School Section during the period of their continuance in office, in consequence of their neglect of duty ; and the amount thus forfeited, or lost, shall

* This Thirty-first Section of the School Act of 1850, defines the comprehensive duties of Local Superintendent of the Schools.

† *i.e.* by arbitration,—the Local School Superintendent being an arbitrator, *ex-officio*. The Eighteenth clause of the Twelfth Section of this Act also provides for arbitration, which see.

be collected and applied in the manner provided by the Ninth Section of the said Upper Canada School Act of 1850, for the collection and application of the fines imposed by the said Section (*i.e.* for the purposes of the School Section.)

Penalty on Trustees neglecting to make their yearly Report.

X. *And be it enacted*, That the Trustees of each School Section shall, each personally forfeit the sum of One Pound, Five Shillings, for each and every week that they shall neglect, after the [fifteenth] *Thirty-first day* of January in each year, to prepare and forward to their Local Superintendent of Schools, their School Report, as required by law, for the year ending the Thirty-first of December, immediately preceding; and which sum, or sums, thus forfeited, shall be sued for by such Local Superintendent, and collected and applied in the manner provided by the Ninth Section of the said Upper Canada School Act of 1850. (See above.)

What agreements only with Teachers shall be valid.

XI. *And be it enacted*, That no Agreement between Trustees and a Teacher in any School Section, made between the First of October and the second Wednesday in January, shall be valid, or binding, on either party after the second Wednesday in January then next, unless such Agreement shall have been signed by the two Trustees of such School Section, whose period of Office shall extend to one year beyond the second Wednesday of January, after the signing of such Agreement.

Liability of persons sending children to School in Section other than that in which they reside.

XII. *And be it enacted*, That any person residing in one School Section, and sending a child, or children, to the School of a neighboring School Section, shall nevertheless be liable for the payment of all [Rate-bills and] Rates *assessed* for the School purposes of the Section in which he resides, the same as if he sent his child, or children, to the School of such Section; and such child, or children, shall not be returned as attending any other than the School of the Section, in which the parents, or guardians, of such child, or children, reside; but this clause shall not be held to apply to persons sending children to, or supporting, Separate Schools, or to prevent any person who may be taxed for Common School purposes on property situate in a different School Section from that in which he resides, from sending his children to the School of the Section in which such property may be situate, on as favourable terms as if he resided in such Section.

Exception as to Separate Schools.

By what methods only School expenses shall be provided for.

XIII. *And be it enacted*, That no Rate-Bill shall be imposed upon the inhabitants of any School Section according to the whole number of children, or [of] the number of children of legal school age, residing in such Section: but all the School expenses of such Section shall be provided for by any, or all, of the three authorized methods of Voluntary Subscription, Rate-bill for each pupil attending the School, or by Rate upon Property:

Proviso.

Provided always, That no Rate bill shall be imposed exceeding [Two Shillings and Six pence per quarter or] *One Shilling and Three pence per month* for each pupil attending the School.

Term of office of Local Superintendents.

XIV. *And be it enacted*, That any person who has been, or may be, appointed Local Superintendent of Schools, shall continue in office, (unless he resigns, or is removed from office for neglect of duty, improper conduct, or incompetency,) until the first day of April of the year following that of his appointment:

1st Proviso.

Provided always, *Firstly*, That no Local Superintendent shall be a Teacher, or Trustee of any Common School during the period of his being in office:

2nd Proviso.

Provided, *Secondly*, That no Local Superintendent shall be required, (unless he shall judge it expedient, and except with a view to the adjustment of disputes), to make more than two official Visits to each School Section under his charge; one of which Visits shall be made some time between the First of April and the First of October, and the other sometime between the First of October and the First of April:

3rd Proviso.

Provided, *Thirdly*, That the Local Superintendents of adjoining Townships shall have authority *and are hereby required*, to determine the sum, or sums, which shall be payable from the School Apportionment and Assessment of each Township in support of Schools of Union School Sections, consisting of portions of such Townships; and they shall also determine the manner in which such sum, or sums, shall be paid:

4th Proviso.

Provided *Fourthly*, That, in the event of one person being Local Superintendent of both of the Townships concerned, he shall act in behalf of such Townships; and, in the event of the Local Superintendents of Townships thus concerned not being able to agree as to the sum, or sums, to be paid to each such Township, the matter shall be referred to the [Chief Superintendent of Education,] *Warden of the County, or Union of Counties*, for final decision:

Provided *Fifthly* That each Local Superintendent of Schools shall have authority to appoint the time and place of a Special School Section Meeting, at any time, and for any lawful purpose, should he deem it expedient to do so : 5th Proviso.

Provided, *Sixthly*. That each Local Superintendent of Schools shall have authority, within twenty days after any Meeting for the Election of Common School Trustees within the limits of his charge, to receive and investigate any complaint respecting the mode of conducting such Election, and to confirm it, or set it aside, and appoint the time and place of a new Election, as he shall judge right and proper : 6th Proviso.

Provided, *Seventhly*, That each Local Superintendent shall have authority, on due examination, (according to the Programme authorized by law for the Examination of Teachers,) to give any Candidate a Certificate of Qualification to teach a School within the limits of the charge of such Superintendent, until the next ensuing Meeting, (and no longer), of the County Board of Public Instruction, of which such Local Superintendent is a Member ; but no such Certificate of Qualification shall be given a second time, or shall be valid, if given a second time, to the same person in the same County : 7th Proviso.

Provided, *Eighthly*, That, in the event of a Local Superintendent of Schools resigning his office, the Warden of the County, or Union of Counties, within which such Superintendent shall have held office, shall have authority, if he shall deem it expedient, to appoint a fit and proper person to the office thus vacated, until the next ensuing Meeting of the Council of such County, or Union of Counties. 8th Proviso.

Miscellaneous Provisions, Applicable to the Schools Generally.

XV. *And be it enacted*, That the last proviso of the Seventeenth Section of the Upper Canada School Act of 1850, shall be and is hereby repealed ; Last proviso of 17th section of C. School Act of 1850 repealed.

And be it also enacted. That the Arbitrators mentioned in the said Seventeenth Section of the said Act, shall have authority to administer oaths to, and to require the attendance of all or, any of the parties interested in the said reference, and of their Witnesses, with all such Books, Papers and Writings as such Arbitrators may require them, or either of them, to produce ; and the said Arbitrators, or any two of them, may issue their Warrant to any person to be named therein, to enforce the collection of any sum, or sums, of money by them awarded to be paid, and the person named in such Warrant shall have the same power and authority to enforce the collection of the money, or moneys, mentioned in the said Warrant, with all reasonable costs, by seizure and sale of the property of the party, or Corporation, against whom the same is rendered, as any Bailiff of a Division Court has in enforcing a judgment and execution issued out of such Court ; and no action shall be brought in any Court of Law, or Equity, to enforce any claim, or demand, which, by the Seventeenth Section of the said in part recited Act, may be referred to arbitration, as therein mentioned. Arbitrators between Teachers and Trustees invested with full powers to decide disputes.

XVI. *And be it enacted*, That whenever the Lands, or Property, of any individual, or company, shall be situate within the limits of two, or more, School Sections, it shall be the duty of each Assessor appointed by any Municipality, to assess and return on his Roll, separately, the parts of such Lands, or Property, according to the divisions of the School Sections within the limits of which such Lands, or Property, may be situate : Assessors shall separately assess property within the limits of School Sections.

Provided, always, That every undivided occupied lot, or part of a lot, shall only be liable to be assessed for School purposes in the School Section where the occupant resides. Proviso.

XVII. *And be it enacted*, That no Township Council shall have authority to levy and collect, in any School Section, during any one year more than one School Section rate, except for the purchase of a School site, or the erection of a School House ; nor shall any such Council have authority to give effect to the Ninth clause of the Twelfth Section of the Upper Canada School Act of 1850, for the levying and collection of rates for School purposes of any School Section in any one year, unless the Trustees of such School Section make application (for such rate) to the Council at, or before, its Meeting in August of such year : Township Councils shall not collect more than one School rate per year except for sites and School Houses.

Provided, also ; That each such Township Council shall have authority, under the restrictions imposed by law in regard to the alteration of School Sections, to form such part of any Union School Section, as is situated within the limits of its jurisdiction, into a distinct School Section, or attach it to one or more existing School Sections, or parts of Sections, as such Council shall judge expedient. Application from trustees for rates shall be made before August.

Proviso in regard to Union Sections.

Chief Supt. may direct the distribution of the C. S. Fund according to length of time a School is kept open.

XVIII. *And be it enacted*, That for and notwithstanding anything contained in the Upper Canada School Act of 1850, the Chief Superintendent of Education shall have authority to direct the distribution of the Common School Fund of [each] *any* Township, among the several School Sections and parts of Sections entitled to share in the said Fund, according to the length of time in each year, during which a School shall have been kept open by a legally qualified Teacher in each of such Sections, or parts of Sections.

Penalty for disturbing any Public School.

XIX. *And be it enacted*, That, if any person shall wilfully disturb, interrupt, or disquiet, any Common, or other, Public School, by rude, or indecent, behaviour, or by making a noise either within the place where such School is kept, or held, or so near thereto as to disturb the order, or exercises, of such School, such person shall, on conviction thereof before any Justice of the Peace, on the oath of one, or more, creditable Witnesses, forfeit and pay such a sum of money not exceeding Five Pounds, together with the costs of and attending the conviction, as the said Justice shall think fit ; such conviction and all other convictions before a Justice, or Justices, of the Peace under this Act, or the Upper Canada School Act of 1850, and the costs thereof, to be levied and collected from the offender, who, in default of payment, may be imprisoned for any time not exceeding thirty days, unless such fine and costs, and the reasonable expenses of endeavoring to collect the same, shall be sooner paid.

£5 and costs.

Authority of J. P. under the Com. School Acts.

NOTE. In the Draft of Bill of this Act, as submitted to the House of Assembly by the Honourable W. B. Richards, Attorney-General, the proposed Sections XX, XXI, XXII and XXIII referred exclusively to the collection of unpaid School Rates, by reason of there being no goods and chattles to distrain on the taxable property. They were omitted in the House, and the Sections, with the same numbers in this Act, are new, (except Section XXIII, which was subsequently suggested to the Inspector General by the Chief Superintendent, (see note below), and are as follows:—

Validity of Certificates granted to Teachers under certain circumstances recognized and proceedings of Board of Public Instruction confirmed.

XX. *And be it further enacted*, That the Certificates of Qualification which have heretofore been granted to Teachers of Common Schools by any County, or Circuit, Board of Public Instruction in Upper Canada or at any Meeting of any Members, not less than three of the Members of such Boards, and which have not been cancelled, shall, at all times, be considered as duly and legally granted, notwithstanding any want of notice to the several Members of the said Board, of the times and places of Meeting for the purpose of granting such Certificates, and notwithstanding any other want of form in the organizing, or conducting, of the business of any such County, or Circuit, Board ; and any Certificate purporting to be granted to any such Board, or any three Members thereof, and having the signature of at least one Local Superintendent of Schools, shall be considered a good and valid Certificate of Qualification, according to the effect thereof, until the same shall be annulled.

Recital.

XXI. AND WHEREAS doubts have arisen as to whether the Trustees of any School Section, or the Board of School Trustees of any City, Town, or Village, can appoint any one, or more, of their own number, Collector, or Collectors, of School rates ; For the removal thereof,

Powers of C. S. Trustees to appoint one of themselves Collector confirmed.

Be it enacted, That it shall and may be lawful for the Trustees of any School Section, or the Board of School Trustees in any City, Town, or Incorporated Village, to appoint one, or more, of their number a Collector, or Collectors, to collect the School rates of any such Section, City, Town, or Village.

Provision for obtaining the School rates due on the lands of non-residents.

XXII. *And be it enacted*, That, if the Collector appointed by the Trustees of any School Section, shall have been unable to collect that portion of any School Rate, which was charged on any parcel of Land liable to assessment, by reason of there being no person resident thereon, or no Goods and Chattels to distrain, the Trustees shall make a return to the Clerk of the Municipality before the end of the then current year of all such parcels of Land and the uncollected Rates thereon ; and the Clerk shall make a return to the County Treasurer of all such Lands and the arrears of School rates thereon, and such arrears shall be collected and accounted for by such Treasurer in the same manner as the arrears of other taxes ; and the Township, Village, Town, or City, in which such School Section is situate,

shall make up the deficiency arising from the uncollected rate on Lands liable to assessment, out of the General Funds of the Municipality.

SPECIAL FINANCIAL SECTIONS OF THIS ACT.*

XXIII. *And be it enacted*, That, whatever additional sum, or sums, of money may be payable to Upper Canada out of the Legislative School Grant, or may be granted during the present session of this Parliament for Common School purposes in Upper Canada, shall be expended in the following manner:

Firstly, a sum of not less than Four Thousand Pounds shall be apportioned and expended for the support of Common Schools, as provided in the Thirty-fifth Section of the Upper Canada School Act of 1850; — £4,000 per annum additional to be apportioned to C. Schools in U. C.

Provided, always, That not more than Five hundred Pounds of the said sum may be expended in special aid of Common Schools in new and poor Townships; — £1,000 per annum additional in and of Normal School & supplying the *Journal of Education* to each School Corp., &c.

Secondly, a sum not exceeding One Thousand Pounds per annum shall be expended in further support of the Normal and Model Schools for Upper Canada, and in supplying a copy of the *Journal of Education* to each School Corporation and each Local Superintendent of Schools in Upper Canada:

Provided always, That not more than Four Hundred and Fifty Pounds of the said sum shall be expended in the circulation of the *Journal of Education*; and the balance of such sum shall be expended as provided for in the Thirty-eighth Section of the Upper Canada School Act of 1850; — Proviso.

Thirdly, a sum not exceeding Five Hundred Pounds per annum may be expended by the Chief Superintendent of Education in the purchase, from time to time, of Books, Publications, Specimens, Models and Objects, suitable for a Canadian Library and Museum, to be kept in the Normal School Buildings, and to consist of Books, Publications, and Objects, relating to Education and other departments of Science and Literature, and Specimens, Models, and Objects illustrating the Physical Resources and Artificial Productions of Canada, especially in reference to Mineralogy, Zoology, Agriculture, and Manufactures; — £500 per annum appropriated to a Canadian Museum in Normal School buildings.

Fourthly, a sum not exceeding Five Hundred Pounds per annum, shall be applied towards forming a Fund for the support of Superannuated, or worn-out, Common School Teachers in Upper Canada, under such Regulations as may be adopted, from time to time, by the Council of Public Instruction, and approved of by the Governor-in-Council: — £500 per annum towards forming a fund for superannuated C. S. teachers.

Provided, always, That no Teacher shall be entitled to share in the said Fund who shall not contribute to such Fund at least at the rate of One Pound per annum, for the period of his teaching School, or receiving aid from such Fund, and who shall not furnish satisfactory proof to the Council of Public Instruction, of inability, from age, or loss of health, in teaching, to pursue that profession any longer: — Proviso.

Provided, also, That no allowance to any Superannuated or worn-out Teacher shall exceed the rate of One Pound Ten Shillings for each year that such Teacher shall have taught a Common School in Upper Canada. — Proviso—An allowance to worn-out teachers.

NOTE. This, as well as the following Sections of the Act were in the original Draft of Bill as submitted to the House of Assembly by Attorney General Richards.

XXIV. AND WHEREAS it is highly desirable that uniformity of decision should exist in cases that may arise triable in the Division Courts, against and between Superintendents, Trustees, Teachers and others, acting under the provisions of the Common School Acts of Upper Canada— — Recital—Chief Supt. may appeal from decisions of Division Courts in School matters to the superior courts of common law at Toronto.

Be it therefore enacted, That the Chief Superintendent of Education for Upper Canada, may, within one month after the rendering of any Judgment, in any of the said Courts, in any case arising as aforesaid, appeal from the decision of any Judge of the said Courts to either of the Superior Courts of Law, at Toronto, by serving notice, in writing, of such his intention to do so, upon the Clerk of such Division Court, which Appeal shall be entitled, "The Chief Superintendent of Education for Upper Canada, Appellant, in the matter between (A.B. and C.D.);" and it shall be the duty of the Judge of the said Court, to certify under his hand, — Mode of proceeding.

*The Financial Sections of this Act were suggested to the Honourable Francis Hincks the Inspector General (or Finance Minister,) by the Chief Superintendent of Education in a Letter to Mr. Hincks, dated the 8th of April 1853. This Letter and the Section of the Act suggested by the Chief Superintendent will be given in the next Chapter of this Volume

to either of the Superior Courts aforesaid, as the case may be, the summons and statement of claim and other proceedings in the case, together with the evidence and his own Judgment thereon, and all objections made thereto; whereupon the same matter shall be set down for argument at the next term of such Superior Court, which Court shall give such Order, or Direction, to the Court below, touching the Judgment to be given in such matter, as the law of the land and equity shall require, and shall also award costs in their discretion, against the Appellant, which costs shall be certified to and form part of the Judgment of the Court below; and upon receipt of such Order, direction, and certificate, the Judge of the Division Court shall forthwith proceed in accordance therewith:

Proviso—Costs to be paid by Educational Office, Upper Canada.

Provided, That all costs awarded against the Appellant, and all costs incurred by him, shall be payable by the Chief Superintendent, and the amount chargeable to the Contingencies of his Office:

Division Court proceedings to be stayed in case of appeal.

And the Judge presiding over any Division Court wherein any action of the kind referred to in this Section is brought, may order the entering of judgment to be delayed for a sufficient time to permit either party to apply to the Chief Superintendent of Education to appeal such case, and after Notice of Appeal is served as herein provided, no further proceedings shall be had in such case until the matter of the Appeal shall be decided by such Superior Court.

Township clerks to prepare Map of township in duplicate showing the Sch. Sections & Unions.

XXV. *And be it enacted*, That it shall be the duty of the Clerk of each Township Municipality to prepare, in duplicate, a Map of the Township, showing the divisions of the Township into School Sections and parts of Union School Sections, one copy of which shall be furnished to the County Clerk for the use of the County Council, and the other shall be retained in the Township Clerk's Office, for the use of the Township Municipality.

Where deposited

Inconsistent enactment to be repealed.

XXVI. *And be it enacted*, That such of the provisions of the Upper Canada School Act of 1850, as are contrary to the provisions of this Act, shall be and are hereby repealed.

This Act to apply to 1853.

XXVII. *And be it enacted*, That the provisions of this Act shall apply to all School affairs and to all persons referred to in the said provisions, for the present year One Thousand Eight hundred and Fifty-three.

Short Titles to C. S. Acts of Upper Canada.

XXVIII. *And be it enacted*, That in citing, or otherwise referring to, the said Act passed in the Session held in the Thirteenth and Fourteenth years of Her Majesty's Reign, and intituled: "*An Act for the Better Establishment and Maintenance of Common Schools in Upper Canada*," it shall be sufficient to designate it as: "The Upper Canada School Act of 1850," and that in citing, or otherwise referring to, this Act, it shall be sufficient to designate it as; "The Upper Canada Supplementary School Act of 1853;" and that in citing, or otherwise referring to, the said Acts generally, or to them and to any other Act, or Acts, relative to Common Schools, which may, at the time of such citation, or reference, be in force in Upper Canada, it shall be sufficient to use the expression: "The Common School Acts of Upper Canada."

16TH AND 17TH VICTORIA, CHAPTER LXXXVI.

An Act to Amend the Law relating to Grammar Schools in Upper Canada.*

The Earl of Elgin and Kincardine, Governor-General.

[Received the Royal Assent on the 14th of June, 1853].

Preamble.

Whereas it is expedient to make further provision for the Better Establishment and Maintenance of Grammar Schools in the several Counties and Cities in Upper Canada,

Imperial Act of 1840.

Be it therefore, enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britian and Ireland, and intituled: An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada, and it is hereby enacted by the authority of the same:

Grammar School Fund, how to be constituted.

I. That all Moneys arising from the sale of Lands set apart, or which may hereafter be set apart, for the encouragement of Grammar Schools in Upper

*The original Draft of the Bill, on which this Act is founded is printed on pages 21-23 of the Ninth Volume of this Documentary History. That draft of Bill was revised and its scope enlarged by the Chief Superintendent of Education, in the form of this Act as will be seen by reference to the next Chapter of this Volume.

Canada, and which shall not have been specially granted to, or vested in, or for the benefit of any particular College, Grammar School, or other Seminary, or place of Education, or otherwise departed with by the Crown, and all Annual Grants which have been, or may hereafter be made by Parliament, or which may be, or become, otherwise available from any other sources for that purpose, shall form a Fund to be called "The Upper Canada Grammar School Fund," and shall be invested in Government, or other, Securities by the direction of the Governor-in-Council; and the annual income thereof, after the deduction therefrom of One Hundred Pounds yearly for a Senior Grammar School for each County, Union of Counties, [or City,] in Upper Canada, and certain other sums of Money, otherwise specially appropriated by this Act, shall be, with the said sum of One Hundred pounds for each such Senior Grammar School, as aforesaid, annually apportioned to the several [Cities,] Counties and Union of Counties in Upper Canada, by the Chief Superintendent of Education, according to the ratio of population in each [City], County and Union of Counties, as compared with the population of Upper Canada; or, if he shall think it expedient, in case of a defective Census, he shall, with the approbation of the Governor-in-Council, apportion such moneys, according to the best evidence which he can obtain of the relative proportions of such population, having respect to an equitable apportionment thereof according to the said ratio of population:

In what securities it shall be invested.

Annual income to be apportioned annually among the Counties and Cities in U. C.

[Provided, always, That when the Senior County Grammar School of any County, or Union of Counties, is situate within the limits of any City, the said sum of One Hundred Pounds a year shall [not be reserved for such City, so long as such senior County Grammar Schools shall be situate] *be paid to such School, although the same may continue within the limits of such City.*

Proviso: when the Senior Grammar School is in a City.

II. *And be it enacted*, That it may and shall be lawful for the Municipal Council of each County, City, Township, Town, or Incorporated Village, from time to time, to levy and collect by assessment such sum or sums, as it shall judge expedient to purchase the Site, or Sites, of, to rent, build, repair, furnish, warm and keep in order, a Grammar School House, or Grammar School Houses, and its, or their, appendages, grounds and enclosures, for procuring Apparatus and Text-books, for providing the salary of the Teacher, or Teachers, and all other necessaay expenses of such County, Grammar School, or Schools; *and all sums, so collected, shall be paid over to the Treasurer of the County School, for which the said assessment was made.*

Municipal Councils may levy assessments for supporting Grammar Schools and their appendages.

III. *And be it enacted*, That the Chief Superintendent of Education for Upper Canada shall, on, or before, the First day of May in each year, notify each [City and] County Council, through the Clerk of the Council, of the annual apportionment of Grammar School Moneys to such County, [or City,] and shall give notice of the same to the Inspector General; and such Moneys shall be payable to the Treasurer [or Chamberlain] of each County [and City] entitled to receive it, one half on, or before, the First day of July, and the other half on, or before, the Thirty-first day of December in each year, in such manner as may be determined by the Governor:

Notice to be given touching the apportionment aforesaid.

Apportionment to be payable half yearly.

Provided always, That the sum, or sums, raised by local Assessment, or Subscriptions, for the support of Grammar Schools shall be payable each year on, or before, the Twenty-fourth day of December.

Proviso.

IV. *And be it enacted*, That the sum, or sums, of Money annually apportioned to each [City and] County, as provided in the First Section of this Act, shall be expended in the payment of the salaries of Teachers, and for no other purpose.

Apportionment to be expended solely in paying Teachers.

V. *And be it enacted*, That, in each County Grammar School provision shall be made for giving instruction, by a Teacher, or Teachers, of competent ability and good morals, in all the higher branches of a practical English and Commercial Education, *including the Elements of Natural Philosophy and Mechanics*, and also in the Latin and Greek Languages and the Mathematics, so far as to prepare Students for [the] University, *College, or any College affiliated to the University of Toronto*, according to a Programme of Studies and General Rules and Regulations to be prescribed by the Council of Public Instruction for Upper Canada and approved by the Goveruor-in-Council:

Certain subjects to be taught in each Grammar School.

Provided, always, That no Grammar School shall be entitled to receive any part of the Grammar School Fund which shall not be conducted according to such Rules and Regulations.

Proviso.

VI. *And be it enacted*, That the Council of Public Instruction for Upper Canada (of which the President of [the University of Toronto] *University College*,

Council of Public Instruction

to select Books and prepare a programme of studies, and to appoint a Special Inspector of Grammar Schools.

and the President, or other Head, of each of the Colleges in Upper Canada, affiliated to the University of Toronto shall be [a Member] *Members* for the purposes of this Act,) shall prepare and prescribe a list of Text-books, Programme of Studies, and General Rules and Regulations for the Organization and Government of the County Grammar Schools, to be approved by the Governor-in-Council, [and shall appoint, from time to time, and fix the remuneration of a Special Inspector of the said County Grammar Schools, and the remuneration of such Inspector shall be a charge upon the Grammar School Fund.]

Duties of the Chief Superintendent with regard to Grammar Schools.

VII. *And be it enacted*, That it shall be the duty of the Chief Superintendent of Education, to make annually to the Governor, on, or before, the First day of July, a report of the actual state of the Grammar Schools [throughout] *in* Upper Canada, shewing the amount of Moneys expended in connection with each, and from what sources derived, with such suggestions for their improvement as he shall deem useful and expedient,—to see that the County Grammar School Fund apportioned by him, is, in all cases, applied to the purposes hereinbefore prescribed, and that each County Grammar School is conducted according to the Rules and Regulations provided according to law,—and to prepare suitable Forms, and to give such Instructions as he shall judge necessary and proper for making all reports and conducting all proceedings under this Act, and cause the same, with a sufficient number of copies of this Act and such General Rules and Regulations as shall be approved of, as aforesaid, for the Better Organization and Government of Grammar Schools, to be printed in a convenient form and transmitted to the parties required to execute the provisions of this Act.

Present Trustees to remain in office until others are appointed.

VIII. *And be it enacted*, That the Trustees of the several Grammar Schools in Upper Canada, appointed before this Act shall come in force, shall continue, and be *ex-officio*, Trustees of the respective Schools for which they shall have been appointed, and shall continue to discharge their duties as such until the appointment and organization of new Boards of Trustees for their respective Schools, as herein provided.

Present Boards of Trustees to appoint three Trustees, and the Municipal Council three, who shall form the new Board of Trustees.

Quorum.

Retirement of members.

Appointment of three Trustees by the Municipal Council.

Vacancies how filled up.

IX. *And be it enacted*, That the several Grammar School Trustees for each County and Union of Counties in Upper Canada, shall meet together on the first Wednesday in January, next after the passing of this Act, and select from amongst themselves three Trustees, (one of whom shall retire annually from the said Board, on the Thirty-first day of January in each year). for each of the Grammar Schools within such County, or Union of Counties, who, with three other Trustees for each such School, to be chosen, as hereinafter provided, by the Municipal Council of the County, or Union of Counties, shall compose the Board of Trustees (consisting of six members, [four] *three* of whom shall constitute a quorum), for each such Grammar School, and the order in which the persons, so selected by the said Trustees, shall retire from the said Board, shall be decided by lot. And the several County Municipalities in Upper Canada, at their first sittings, to be held after the said First day of January next, shall select and appoint three fit and proper persons, one of whom shall also annually retire from the said Board on the Thirty-first day of January in each year, to be Trustees for each of the Grammar Schools within their Counties, or Union of Counties, and shall also decide the order in which the said persons, so chosen, and all persons to be chosen by them as Trustees, shall retire from the said Board. And the [vacancy] *vacancies* occasioned by the retirement of the said two Trustees annually, as also any occasional vacancy in the said Board, shall be filled up by such County Municipality, provided that the person appointed to fill such occasional vacancy shall hold office only for the unexpired part of the term for which the person, whose place shall have become vacant was appointed to serve, and the places of the two persons who shall retire from office annually, (but may be re-elected,) shall be filled up by the County Municipality at its first meeting to be held after the First day of January in each year, although the year within which such two Trustees should retire, may not then have wholly expired.

Board of Trustees to be appointed for each Grammar School by the Municipal Council of each City and each County hereafter to be formed.

Proviso.

X. *And be it enacted*, That it may and shall be lawful for the [Common] *Municipal* Council of each [City now, or hereafter to be incorporated, and the Municipal Council of each] County, or Union of Counties, hereafter to be formed, or set apart, in Upper Canada, to appoint not less than six, or more than eight, fit and proper persons, (three of whom shall be a quorum for the transaction of business,) as a Board of Trustees for each Grammar School in such [City] County, or Union of Counties :

Provided, always, That two of the persons, thus appointed, to be determined by such Council) shall retire from the office annually, *on the Thirty-first day of*

January in each year, (but may be re-appointed), and their places, as also any occasional vacancy, shall be filled up by such Councils :

Provided, also, That the person appointed to fill such vacancy shall hold office only for the unexpired part of the term, for which the person, whose place shall have become vacant, was appointed to serve : Proviso.

Provided, likewise, That [the Trustees appointed for the Grammar Schools of such City, shall not interfere with the Trustees of, or in the direction, or management of any senior County Grammar School which may be situate within the limits of such City appointed according to the provisions of this Act ; Provided always that] such [Common Councils and] *Municipal Councils* shall appoint such Trustees at their first, or other, Meeting after the Municipal Elections in each year, *although the time may not have expired for the retiring of the two Trustees, who are to go out annually and all Trustees under this Act* [and that the existing Trustees] shall hold their offices [in the event of no appointment before the Thirty-first day of January] until their successors shall be so appointed, *as herein provided.* Proviso. Proviso.

XI. *And be it enacted*, That the Board of Trustees of each County [or City] Grammar School shall be, and is hereby declared to be, a Corporation, and to have and possess all the powers which are usually enjoyed by Corporations, so far as the same are necessary for carrying out the purposes of this Act : [that] they shall meet at, or near, the place where each such School is held, on the first [Monday] *Wednesday* in February in each and every year, and it shall be the duty of such Trustees :— Boards of Trustees incorporated. Duties of such Boards.

First : To appoint annually, or oftener, from amongst themselves, a Chairman, Secretary and Treasurer, and to fix the times and places of their Meetings, the mode of calling and conducting such Meetings, and of keeping a full and correct account of their proceedings : Appointing of officers.

Secondly : To take the charge of the County [or City] Grammar School, for which they are appointed Trustees, and the Buildings and Lands appertaining to it ; to [appoint, or] remove if they see fit, and, in case of vacancies, to appoint the Master [and], or other Teacher, or Teachers, in such School : to fix their salaries and prescribe their duties ; to appoint such other Officers, or Servants, in such Schools, as they may judge expedient, and fix their remuneration ; to do whatever may be expedient with regard to erecting, repairing, warming, furnishing, or keeping in order, the Building, or Buildings of such School and its appendages, Lands and Enclosures, and to apply, (if necessary,) for the requisite sum, or sums, to be raised by municipal authority for such purpose, or purposes : Taking charge of Schools appointing Teachers, etc. Applying to the municipality for funds.

Provided, always, That no person, (except a Graduate of some University, or University College,) shall *hereafter* be appointed Master of a Grammar School, unless he shall have previously obtained a Certificate of Qualification from a Committee of Examiners, (one of whom shall be the Head Master of the Normal School,) appointed by the Council of Public Instruction : Proviso : Masters to be examined unless Graduates

[Provided, likewise, that no Master of a Grammar School shall be dismissed without the concurrence of the Council of Public Instruction :] Proviso : as to removal of Masters.

Thirdly, To [cause in their discretion to be levied by Rate bill upon the] *settle the amount to be paid by* parents and guardians of [pupils] *each pupil* attending such School [such additional sum, or sums] *and to fix the time, or times, of payment, and to apply the Moneys received therefor*, as they shall judge expedient towards making up the salaries of Teachers, providing the proper Apparatus, Maps, Text-books and Registers, and for any other necessary expenses of such School ; and they shall have [the same] authority [and proceed in the same manner as Common School Trustees in the levying and collecting of Rate-bills for Common Schools :] *to sue for and recover such amounts, and, when collected, the same shall be paid over to the Treasurer of the said Board of Trustees.* Causing Rate Bills to be levied.

Fourthly, To employ such means as they may judge expedient, in concurrence with *the Trustees of the School Section, or* the Board of Trustees of Common Schools in the Township, Village, Town, or City, in which such Grammar School may be situate, for uniting one, or more, of the Common Schools of such Township, Village, Town, or City, or departments of them, with such Grammar Schools. Uniting Grammar Schools with Common Schools.

Provided, always, That no such union shall take place without ample provision being made for giving instruction to the pupils in the elementry English branches, by a duly qualified English Teacher, or Teacher : *And, Provided, also, That the Schools, thus united, shall be under the management of the Joint Board of Grammar and Common School Trustees, who shall have the powers of the Trustees of both the* Proviso.

Common and Grammar Schools; but when the Trustees of the Common Schools shall exceed six in number, then they shall reduce their number to six in the joint Board.

Books, examinations etc.

Fifthly, To see that the pupils of such Grammar School are supplied with proper Text-books; that public half-yearly examinations of the pupils are held, and due notice given of them; and that such School is conducted in accordance with the Regulations which shall be provided according to law:

Giving orders for money on Chamberlain or Treasurer.

Sixthly, To give the necessary orders upon the [City Chamberlain, or] County Treasurer for the amount of Public Money to which such School is entitled, and, upon their own Treasurer for any [balance] *Moneys* in his hands, for the payment of the salaries of the Officers of such School, and of any necessary expenses: to

Reporting yearly to Chief Superintendent.

prepare and transmit, before the Fifteenth day of January, to the Chief Superintendent of Education, an annual report, which shall contain a full and accurate account of all matters appertaining to such School, in accordance with a Form of Report which shall be provided according to law.

Names by which Grammar Schools shall be designated.

XII. And be it enacted, That each County Grammar School shall be distinguished by prefixing to the term "County," the name of the City, Town, or Village, within the limits of which it may be situate; [and, in the event of their being more than one City Grammar School, within any City, the second, or other, Grammar School shall be known and designated as City of————Grammar School, Number two, [or three, as the case may be,] and that the Trustees of all such Grammar Schools shall severally use such distinguishing titles as their corporate name.

Which shall be the Senior Grammar School of any County.

XIII. And be it enacted, That the Grammar School of the County, or Union of Counties, situate at the County Town of every County, or Union of Counties, in Upper Canada, shall be the Senior County Grammar School of such County, or Union of Counties, and, if the Courts of Assize and Nisi Prius for any of such Counties, or Union of Counties, are usually held in a City, such City, for the purposes of this Section, shall be considered a County Town.

County Municipalities may establish additional Grammar Schools in certain cases.

XIV. And be it enacted, That from and after the time when this Act shall come in force, the several County Municipalities shall have power and authority to establish additional Grammar Schools within their limits, and appoint Trustees therefor, according to the *Tenth* Section of this Act, but no new Grammar School shall be established until the state of the Grammar School Fund shall permit the application of a sum equal, at the least to Fifty Pounds annually to such new School, after paying *to each Senior County Grammar School the sum of One Hundred pounds annually, and to* the other Grammar Schools within such County [or Union of Counties, the amounts] *an amount* which, [have been usually applicable to their support and maintenance before the passing of this Act,] *on the average, would equal, at least, the annual sum of Fifty Pounds to each of such Schools*:

Provided, always. That the sum, or sums, of Money apportioned out of the Grammar School Fund, to each County shall be distributed amongst the several Grammar Schools of such County within the restrictions imposed by this Act, under such Rules and Regulations as may, from time to time, be made by the Council of Public Instruction for Upper Canada, and approved by the Governor-in-Council.

Where Grammar Schools shall be kept.

XV. And be it enacted, That the Grammar Schools at present established, or which may be established, at the time this Act comes into force, shall be continued at the places where they are respectively held; but the Board of Trustees of each

Change of site.

of the said Schools may change the place of holding such School by a Resolution to be passed for that purpose and approved by the Governor-in-Council: *But the place of holding any Grammar School to be established after this Act comes into force, may be changed by the County Council of the County within which it is established.*

Recital.

XVI. And Whereas it is desirable, at Seminaries and places of Education to direct attention to Natural Phenomena, and to encourage habits of observation;

And Whereas a better knowledge of the Climate and Meterology of Canada will be serviceable to Agricultural and other pursuits, and be of value to scientific enquiries:

Masters of Senior Grammar Schools to keep Meteorological Journals.

Be it therefore enacted, That it shall be part of the duty of the Master of every Senior County Grammar School, to make the requisite Observations for keeping, and to keep, a Meterological Journal, embracing such Observations, and kept according to such Form as shall, from time to time, be directed by the Council of Public Instruction; and all such Journals, or Abstracts of them, shall be pre-

sented annually by the Chief Superintendent of Education to the Governor, with his Annual Report :*

Every Senior County Grammar School shall, on, or before, the last day of November, One Thousand, Eight Hundred and Fifty-*four*, be provided, at the expense of the County *Municipality* with the following Instruments :— And to be supplied with certain instruments.

One Barometer :

One Thermometer for the Temperature of the Air :

One Daniel's Hygrometer, or other Instrument, for showing the Dew-Point :

One Rain-guage and Measure. One Wind-vane :

And it shall be the duty of the Chief Superintendent of Education to procure these Instruments at the request of the Municipal Council of any County, and to furnish the Master of the Senior County Grammar School with a Book for registering Observations and with Forms for Abstracts thereof, to be transmitted to the Chief Superintendent by such Master, who shall certify that the Observations required have been made with due care and regularity. Chief Superintendent to provide Instruments at the request and cost of the Municipality.

XVII. And be it enacted, That the Act of the Parliament of Upper Canada, passed in the Forty-seventh Year of the Reign of King George the Third, and intituled : " An Act to Establish Public Schools in each and every District of this Province ;" and the Act of the said Parliament, passed in the Forty-eighth Year of the same Reign, and intituled : " An Act to amend an Act passed in the Forty-seventh Year of His Majesty's Reign, ' An Act to establish Public Schools in each and every District of this Province ;" and the Act of the said Parliament, passed in the Second Session held in the Fifty-minth Year of the same Reign, and intituled : " An Act to Repeal part of, and to Amend the Laws now in force for Establishing Public Schools in the several Districts of this Province, and to extend the provisions of the same," and the Act of the said Parliament, passed in the Seventh Year of the Reign of King William the Fourth, and intituled : " An Act to Repeal part of an Act passed in the Fifty-ninth Year of the Reign of His late Majesty King George the Third, intituled : ' An Act to Repeal part of, and to amend the Laws now in force fer Establishing Public Schools in the several Districts of the Province, and to establish the Public School for the London District in the Town of London ;" and the Act of the Parliament of their Province, passed in the Session held in the Fourth and Fifth Years of Her Majesty's Reign, and intituled : "An Act to make Temporary Provision for the appropriation of the Funds derived from the Sale of School Lands in that part of the Province formerly Upper Canada, and for other purposes ;" and the Act of the Parliament of this Province, passed in the Ninth year of Her Majesty's Reign, and intituled : " An Act to Amend the Act therein mentioned, relating to the appropriation of Monies derived from the Sale of School Lands in Upper Canada ;" and the Act of the Parliament of this Province, passed in the Session held in the Thirteenth and Fourteenth Years of Her Majesty's Reign, and intituled : " An Act to provide for the Payment of a sum of Money therein mentioned, for the use and support of Three additional Grammar Schools in the County of York, for the year One Thousand Eight Hundred and Forty-nine ;" and the Act of the Parliament of this Province, passed in the Session held in the Fourteenth and Fifteenth Years of Her Majesty's Reign and intituled : " An Act to Repeal the provisions limiting the Distance between the County Town and any additional Grammar School in the same County in Upper Canada ;" all other Laws and Statutes, relating to the Grammar Schools, or Grammar School Monies, in Upper Canada, so far as they are contrary to the provisions of this Act, shall be, and the same are hereby, repealed from and after the day that this Act shall come into force.

Act of 1807 ; 47th Geo. 3, ch. 6.

Act of 1808 : 48 Geo. 3, ch. 16.

Act of 1819 : 59th Geo. 3, ch. 4.

Act of 1837 : 7th Will. 4, ch. 106.

Act of 1841 : 4th and 5th Vict. ch. 19.

Act of 1846 : 9th Vict. ch. 19.

Act of 1850 : 13th and 14th Vict. ch. 91.

Act of 1851 : 14th and 15th Vict. ch. 55, and other laws inconsistent with this Act repealed.

Provided always, That all appointments of Trustees, Masters, or Teachers, of Grammar Schools, shall continue in force, as if made under the authority of this Act, until revoked, or changed, according to the provisions of the same. Proviso.

XVIII. And be it enacted, That this Act shall have force and effect upon, from, and after, the first day of *January*, One Thousand Eight Hundred and *Fifty-four*, and not before. Commencement of Act.

*For particulars as to establishment of these Meterological Stations in Upper Canada, see the Correspondence with the Directors of the Provincial Observatory, in a subsequent Chapter of this Volume. See also, on this subject, the Proceedings of the Senate of the University of Toronto during 1853.

CHAPTER XIII.

DRAFTS OF BILLS ON EDUCATIONAL SUBJECTS, 1852-1853.

The first of Documents which I insert in this Chapter is the Draft of a proposed University Bill of a general and comprehensive character, prepared by the Chief Superintendent of Education, after consultation on the subject with the Honourable Inspector-General Hincks, who, in 1852, had charge of the Educational Legislation, in the House of Assembly, on behalf of the Government. Subsequently, the Honourable William B. Richards, Attorney General, took charge of this legislation.

On its being drafted, the proposed University Bill was sent to the Inspector-General,* accompanied by a Letter, containing a full explanation of the projected Scheme, and of its various details.

This Letter contains a very sharp criticism on the management of the University of Toronto in the early Fifties, and points out, in strong language, the striking failure of the University to induce more than a very small attendance of students, at its Lectures. This Letter is the more notable from the fact that it foreshadowed, the memorable arraignment, on the same lines, of the University and its management which took place at Quebec in 1860, 62,—nearly ten years after this Letter was written.

The reply of Mr. Hincks to this Letter is also given in this Chapter. The following is a copy of the Chief Superintendent's Letter to Mr. Hincks, dated the 11th of July, 1852 :—

General Observations and Reflections on University Education.

According to promise, I now proceed to state in writing the result of my observations and reflections on that part of the System of Public Instruction in Upper Canada which relates to a Provincial University and to University Colleges.

In order to prevent any misapprehension of the views and suggestions I venture to submit, I beg to make a few preliminary remarks.

Explanatory and Preliminary Remarks on the Character of this Letter.

(1) I have always been accustomed to contemplate and discuss public questions from a Provincial, rather than from a Denominational, point of view,—in reference to their bearing upon the condition and interest of the Country at large, and not upon those of particular Religious Persuasions, as distinct from public interests, or upon the interests of any one Religious Persuasion, more than those of another. And this, I think, is the true difference between a mere Sectarian and a Patriot,—between considering the Institutions and Legislation and Government of a Country in a Sectarian, or patriotic, spirit. The one places his Sect above his Country, and supports, or opposes, every public Law, or Measure of Government just as it may, or may not, promote the interest, of his own Sect, irrespective of public interests, and in rivalship with those of other Sects ; the other views the well-being of the Country as the great end to be proposed and pursued, and the Sects as among the instrumentalities tributary to that end. Some, indeed, have gone to the extreme of viewing all the Religious Persuasions as evils to be dreaded, and, as far as possible, proscribed, rather than as

* A copy of this Draft of Doctor Ryerson's proposed University Bill is inserted immediately at the end of this Letter, which accompanied it.

distinct agencies, more or less. promotive of morality and virtue, and their rivalships tending to stimulate to greater activity, and, therefore, as a whole, more beneficial than injurious.

(2) My second preliminary remark is, that, as the Educational, as well as other, Institutions of a Country, must have reference to, and be greatly modified by, its social state and character; so, in the Collegiate, as well as in the Elementary Department of Public Instruction, the Religious Persuasions of the Country cannot be disregarded, as they form some of the most powerful and important of the Social elements, which enter into the Constitution of the Moral and Intellectual character of the people of the Country. In Upper Canada the number of people who would theoretically, or practically, exclude Christianity in all its forms, as an essential element in the education of the Country, is exceedingly small; and to base any of our Educational Institutions upon the sentiment of such persons will inevitably ensure their abandonment and rejection by the people at large. A System of Education, whether Collegiate, or Elementary, which ignores the Religious sentiment of a people, cannot prosper, or long exist, among them, except by coercion. I believe it was a mistake on this important,—I may say, vital,—point, in the University Legislation of 1849 which has placed the Toronto University in its present solitary and ignoble position,—defended by nobody, cared for by nobody but by its salaried Officers and paid Students,—without a single self-paying Freshman in the Undergraduate Course, every one of the six Freshmen, (for there are only six,) having a Scholarship, and, therefore, receiving pecuniary aid, as well as instruction, from the University. The advisers of the Crown in 1849 clearly designed to abolish Denominational ascendancy in the University; but the pressure, under the influence of which, the details of the Bill, in regard to Religious Instruction, were framed, was hostile to any Religious teaching of Students by any Denomination whatever; and, when a Bill remedying that error was introduced in the following year and passed into a law, the pressure upon the Government against any sort of regard to the views of the Religious Persuasions of the Country was such as to prevent the adoption of any proceedings which might have issued in securing their co-operation. It is remarkable, that, while scrupulous care was taken to secure the interest and fulfil the highest possible expectations of every person at all connected with the University,—how much soever he might have profited by the System which it was found necessary to change; not only was nothing done to induce, and facilitate, the co-operation of the Religious Persuasions, who had evinced the deepest interest in promoting the higher branches of Education, but it was deemed necessary, in deference to the anti-denominational spirit of a small junto of persons, to avoid the very appearance of communication with the Representatives of any Religious Persuasion on the subject. The result is what might have been expected under such circumstances. Instead of any one of the four most numerous Religious Persuasions in the Country, giving the Provincial University their support, and associating their Institutions with it, they have each turned their back upon it, and proceeded, with renewed effort, to establish and promote separate Institutions of their own, and with unprecedented success, while the Provincial University, with its prestige of Professors, means and patronage, has not twenty Students, in the three years Undergraduate Course, and only six in the first year of the Course, and all of them assisted by the funds of the Institution.

(3). Nor is there the least prospect of the Provincial University advancing in public confidence and support; but, on the contrary, I think there is little reason to doubt, but it will decline more and more. It is true, as I believe, there is not a more accomplished Classical Scholar in America than the President of the Toronto University; but it is a notorious fact, that the sixty, or seventy, young men who have graduated at the University since its establishment, have not at all distinguished themselves in the several professions into which they have entered, from the same number of other young men who have entered the professions from any of the other less endowed Colleges, or even Academies of the Country. It may be fairly assumed that young men who have graduated at the Toronto University have, on an average, equal natural talents with the professional young men who have received their preparatory training in the other Educational Institutions of the Country, and that if, therefore, the Toronto University conferred such unrivalled benefits upon the Country, its Graduates would be pre-eminently distinguished by that elevation of character, that grasp of mind, that refinement of taste, in a word, by those elements of mental greatness and superiority which superior mental and moral discipline, comprehensive and thorough scholastic and scientific training, do not fail to impart. I have certainly no disposition to undervalue the labours of the University; but I am sure that the warmest of its advocates, (if it still has any beyond the circle of parties pecuniarly interested,) cannot claim the exclusive Endowment of the University upon the ground of this appeal to fact. Nor is it pretended, that either the quantity, or quality, of the University teaching has been improved. On the contrary, it has been maintained by the Authorities of the University, that its Course of Studies and System of Instruction were in no respect inferior to those of the English Universities.

(4). Then, there is the fact,—and a painful fact it is,—that, whether a student keeps, or violates, the Sabbath,—attends Public Worship, or frequents taverns,—is virtuous, or vicious,

—is no matter of concern in the University ; in respect to the oversight of which, each Student may say, as if he were in the land of pagan darkness and death, "no man careth for my soul." I do not think that this may be so, constituted as the University now is ; it is not so in the administration of the Provincial Normal School. But it is certain, that few parents in Upper Canada, would entrust their sons from home, and during the most eventful years of their educational training, under the care of any Institution, whose authority and oversight never extend to those principles, habits and dispositions, without which the best educated man is but an accomplished knave and a curse, rather than a blessing, to a community.

(5). If an examination were instituted, it would also be found that, comparing the annual expenditure of University Funds with the annual number of University Graduates more than twice as large a sum has been expended as would have been required to send each of those Graduates to the best University in America, or Europe, and pay all the expenses of his journeys, residence, Books, Lectures, clothing, etcetera. And the yearly income of the Institution is rapidly increasing, while the number of Students is yearly diminishing.

(6). Under these circumstances, I see no economical, or public, grounds on which the present system of University expenditure and instruction can be justified ; nor do I think the public feeling, when the subject comes to be discussed, will suffer such an application, or rather waste, of the most splendid University Endowment in America to be perpetuated. As now expended, this Endowment is injurious, rather than advantageous, to all the leading Religious Persuasions of the Province, and,—self defence, as well as other considerations, will prompt them to unite with that portion of the people who deem no State University Endowment necessary, to abolish it altogether, and apply the proceeds to purposes of Common School Education.

II. The Question discussed as to how the University can be made more useful.

The question then arises, in what way can the University Endowment be applied, so as to render it most useful to the Country at large, and so as to interest all classes in perpetuating it inviolate for the purposes originally contemplated by their deriving manifest advantages from its application.

2. The first step to a "consummation so devoutly to be wished" is, that the system of University Education, to which the Endowment should be inviolably applied, should be such as will receive the approval and support of the great body of the people,—especially of the better educated classes. This can only be done by the recognition of the principle regarded as important and vital by more than nine-tenths of the people,—namely, Religious Instruction and oversight, forming an essential part of the education of the youth of the Country. I believe that no attempt to deny,—to counteract, or to evade, the recognition and application of this principle can succeed, in respect to either Common School, or University, Education. I lay it down then as a fundamental principle, that Religious Instruction must form a part of the Education of the Youth of our Country, and that, Religious Instruction must be given by the several Religious Persuasions to their youth respectively. The Common Schools are, as a general rule, brought within an hour's walk of each family in the land ; and, therefore, the oversight and duties of the Parents and Pastors of the children attending those Schools, are not, in the least suspended, or interfered with. The Constitution, or Order of Discipline and Liturgy of each Religious Persuasion enjoins upon its Clergy and Members the duty of teaching their children the summary of Religious Faith and Practice, which is required to be taught to the children of the Members of each such Persuasion. To require, therefore, any sort of Denominational teaching in the Common Day School is not only a work of supererogation, but a direct interference with the liturgical, or disciplinary, codes and functions of each Religious Persuasion, and thus providing by law for the neglect of clerical and parental duties, by transferring those duties to the Common School Teacher, and thus also sanctioning the neglect of a positive duty on the part of Pastors and Parents, which must, in a high degree, be injurious to the interests of public morals. The demand for Denominational Day Schools which has been raised by two, or three, Ecclesiastics in Upper Canada, is as improper and unjust as it is unpatriotic and selfish.* It is practically a demand that the Schoolmaster shall do the personal work of the Clergyman, and that the State shall pay him for it ; a scheme under which the expenses of educating the whole people would be multiplied many fold, and, under which, a large portion of the poorer Youth of the Country would be left without any means of education, upon terms within reach of the pecuniary resources of their parents, unless, at the expense of their Religious Faith. Economy, as well as Patriotism requires the Schools for all to be open to all upon equal terms, and upon principles common to all,—leaving to each Religious Persuasion the performance of its own recognized and appropriate duties in the

* This demand is strongly put forth in a Charge to his Clergy by Bishop Strachan as will be seen by reference to that Charge in another part of this Volume.

Religious Teaching of its own youth. In such Schools the children can be with the Teacher only from nine o'clock in the morning until four o'clock in the afternoon, of five, or six, days in the week ; while during each morning and evening, and the whole of each Sabbath, they are with their Parents, or Pastors, and these are the portions of time which usage and ecclesiastical laws prescribe for Religious Studies and Instruction, and for which the Teacher, who only sees the children during six, or seven of the working hours of each secular day of the week, ought not to be held responsible and with which he cannot be burdened to the advantage of the children, or without criminal neglect on the part of their Parents and Pastors. I cannot, therefore, conceive that it is the duty of the Government to provide Denominational teaching to the pupils in the Common Day Schools, any more than it is its duty to provide for their daily food and raiment, or a place of Religious Worship and preaching for them on the Sabbath.

The Case of Academies and Colleges different from that of Public Schools.

III. But, in respect to Academies and Colleges, the case is different. They are Institutions, which cannot be brought within an hour's walk of but very few of those who wish, and are able, to resort to them. Youth, in order to attend such Institutions must, as a general rule, leave their homes, and be taken from the daily oversight and instructions of their Parents and Pastors. During this part and period of their education, the duties of parental and pastoral care, and instruction must be suspended, or provision must be made in connection with Academies and Colleges, for such oversight and instruction. Youth attending such Institutions are at an age when they are most exposed to temptation,—are in most need of the best counsels in Religion and Morals,—are pursuing studies which most involve the principles of human action, and the duties and relations of human life. At such a period, and under such circumstances, youth need the exercise of all that is tender and vigilant in parental affection, and all that is instructive and wise in pastoral oversight ; yet they are far removed both from their Parents and Pastors. Hence what is supplied by the Parent and Pastor at home, must be provided in connection with the Academy and College abroad. And, therefore, the same reason which condemns the establishment of Denominational Common Schools, justifies the establishment of Denominational Academies and Colleges, in connection with which the duties of the Parent and Pastor can be best discharged. It is, therefore, absurd to suppose, as some have contended, that, if we discountenance Denominational Common Schools, we must condemn Denominational Academies and Colleges. There are scarcely as many persons in Upper Canada in favour of the former, as would form a considerable party in any one Church,—especially any Protestant Church,—much less in the Country at large ; while the great majority of those in this Country are supporters of the latter.

Aiding Denominational Colleges is also acting, in another respect, upon the principle on which aid is given to Common Schools,—namely the making of local contributions to the same object. No aid is given to a Denominational College until after a large outlay has been made by its projectors in the procuring of premises, erection, or procuring, of Buildings and employment of Professors and Teachers,—evincive of the intelligence, disposition and exertions of a large section of the Community to establish and sustain such an Institution.

Aid Given to Denominational Colleges is for the Advancement of Science and Literature—not Sectarianism.*

IV. There is another reason for public aid to Denominational Colleges, based also upon the principles on which aid is given to Common Schools and to other Literary Institutions. It is, that such aid is given for the advancement of Science and Literature alone. It is not proposed to endow, or aid, Denominational Colleges for Denominational purposes ; but because such Colleges are the most efficient and available agencies for encouraging and extending the study of the higher branches of Education in the Country. It is not recommended to give legislative aid to any Theological Professors in any of the Denominational Colleges ; nay ; it may be proper and expedient to provide that, in case any of the Colleges, to which legislative aid is given, have, or shall have, Theological Professors, no part of the aid, thus given, shall be expended in payment of the salaries of such Professors, and that their salaries shall be provided for from sources independent of the literary funds of such Colleges.

2. This view of the subject appears to me to commend itself with equal force on the ground of economy. Every person must admit the desirableness and importance of expending the University Education Fund to the best advantage ; and I think few can deny, or doubt, that it has hitherto been expended to the least, or rather to the worst, advantage. The number of Professors in the Faculty of Arts,—that is in the College proper, for the Under-

* In a subsequent part of this Volume, I have inserted an Address on the subject of Aid to Denominational Colleges, delivered by the Chief Superintendent of Education at Victoria College, Cobourg, in 1853.

graduates has never exceeded four; and it has always been maintained that the duties of that Collegiate department of the University have been as efficiently performed as in any of the Colleges of the English Universities. As to the Faculties of Law and Medicine, (there being one Professor in the former and seven in the latter,) they are mere appendages to the University,—consuming its funds. Attendance on the Lectures in either of these Faculties, is not necessary to obtain the Degree of Bachelor, or Master, of Arts; they exist for any young men who may be studying for either of these professions, and are not so numerously attended as other Schools of Law and Medicine in Toronto, that receive no Legislative aid. I do not believe that the existence of these Faculties as now constituted, is of any advantage to the Country, or is desired by the Members, generally, of the Professions of Law and Medicine.

Present Expenditure of the University of Toronto and the Proposed Aid to Denominational Colleges Contrasted.

V. Now, while many thousands of pounds per annum have been expended upon the Toronto University in the only really useful and needful department, (in which are the four Professors) of the Faculty of Arts, One Thousand pounds per annum, to each of the Denominational Colleges, would enable each of them to also employ four Professors in the faculty of Arts, besides special Tutors and Teachers, as might be required. Assuming that the Denominational Colleges were twice as numerous as they are now,—which is not at all likely to be for twenty years to come; assuming that they were eight, instead of four such Colleges in number,—would not eight Colleges with four Professors each, and the powerful influences combined to promote the success of each of them, contribute vastly more to the extension of the higher branches of education in the Country, than one Faculty in the Toronto University? Yet, the Toronto University, as now established and conducted, costs the Country more than Eight Thousand pounds, (£8,000=$32,000,) per annum. Its income now amounts to nearly Ten Thousand pounds, (£10,000=$40,000), a year, and I have understood, from the Chairman of the Endowment Board, that it will ultimately amount to Eighteen Thousand pounds, (£18,000=$72,000) per annum.

Two Objections to the Granting of Aid to Denominational Colleges Answered.

VI. This view appears to me so irresistibly conclusive, that I will not enlarge upon it; but will advert for a moment to two Objections, which may be made to the proposed system of aiding Denominational Colleges. The one Objection is: that you are thereby endowing Sectarianism. This oft repeated objection, is only a superficial fallacy,—a fallacy consisting of a mere play upon words. Now, to endow Sectarianism is a very different thing from aiding Sectarians to do what is promotive of the interests of all classes of society. If a Legislative Grant were made to a Benevolent Society of the Church of England, or of Rome, or the Presbyterian, Wesleyan, or Baptist Church, to relieve sick and pauper emigrants, would it be endowing Sectarianism, or employing the already agency of a Religious Body to promote a public object? The Grants to Denominational Colleges are not to support those who are preaching Sectarianism, and, for the purpose of teaching it; but supporting those who, indeed, hold and act upon the doctrines of some Religious Body, yet supporting them as Teachers of the English and other Languages, Mathematics, Philosophy, or, in which there is neither religious, nor political, sectarianism. It is true, that the Religious Persuasion, whose College may be thus aided, may, and probably will, derive advantage from any contribution, or Grant, which may increase its efficiency; but that advantage is chiefly indirect and remote. So may a Religious Body derive some advantage from any College, which affords facilities for the education of its youth, or from a Government and Laws which facilitate its labours. There are also two facts involved in the question which cannot be overlooked: the one is, that the Denomination whose College may be aided, has largely contributed to the same object, and assumes all the responsibility and labour of carrying it into effect. The second is, that the Religious Denominations are only actual and probable agencies in inculcating and maintaining the Christian Morals of the Country, and, without which, the Country would be without the first elements of Civilization and in a state of anarchy, if not of barbarism. These facts the objector cannot deny, though he may seek to suppress them. The real question for the consideration of the Statesman and Philanthropist is, in what way can each thousand pounds, or each pound, of the University Fund be made instrumental in educating the largest number of youth in the higher branches of education, with the best preventives against impairing, or endangering, their morals? This is the great object, with which the Statesman has to do; and, if in promoting this object, in the most efficient and economical manner, for the general wellfare, some advantage should fall to the agency employed, it remains for the objector to show that such incidental advantage for so great a public benefit, and so much labour, would be a calamity to be dreaded.

2. A second Objection, which may be made to aiding Denominational Colleges is : that they may become too numerous, and that each Denomination does not possess such a College and would, therefore, not be included in such a system. To the first part of this objection I reply, that there is no danger of such Institutions becoming more numerous than the wants of the Country may require. The establishment of such Colleges involves the vigorous and combined exertions of intelligence, resources, and voluntary benevolence. Should such Colleges become more numerous than could be aided to the amount now proposed to be given to each of the Denominational Colleges, the aggregate amount set apart annually for that purpose could be easily adjusted and distributed upon the principles of equity and fairness. In regard to the other fact, that all the Denominations have not Colleges, I remark that it is more than probable they all never will have Colleges ; but, it is certain, that the views and feelings of a greater proportion of the population will be met by means of several Colleges rather than by one alone. A Presbyterian College, or at least two of such Colleges, must certainly meet the doctrinal sentiments and Religious experiences of all sections of Calvinists, and a Methodist College those of all sections of Methodists. To the Methodist College already established, I know that Students from the several sections of Methodists in the Country have resorted, and some of them are Candidates for the Ministry in their own section of the Church, or Body, and have pursued their studies there with satisfaction and success. On this point, I may also make two additional remarks :

(1.) The greater part of those members of Religious Persuasions, not having Colleges of their own, those who wish to send sons to Colleges, would much rather send them to a College under the auspices of another Religious Persuasion than their own, yet one pervaded by a Christian spirit and exercising religious care over its Students, than to send them to a College under no religious superintendence, and exercising no care in regard to the Religious Principles and Morals of its Students.

(2.) In each of the denominational Colleges I believe no religious test is required in the admission of Students. I know the Charter of Victoria College forbids the application of any religious test on the admission of any Student ; and the authority of the College has been so sedulously exerted in requiring those Students who were members of some other Church than that of the College, to attend the Worship of their own Church, as in requiring the attendance of Methodists at the Worship of their Church.

A General Objection to Denominational Colleges Answered.

VII. Should it be objected, that there is a considerable portion of the people of the Country who are opposed to sending their children to any Denominational College whatever, I reply, that I do not propose to abolish the Collegiate Department of the Toronto University, but to continue the experiment with an endowment of twice as large a sum as it has been proposed to grant to each of the Denominational Colleges. While, therefore, the views and wishes of this class of persons are liberally met, they cannot complain, except in the spirit of the most illiberal tyranny, if the views and wishes of others, of stronger religious convictions than themselves, are also, in some measure, consulted.

The Question of University Education Considered. A Series of Practical Suggestions Offered.

VIII. Should the foregoing suggestions be approved, the Funds of the University will be maintained inviolate for the purposes originally contemplated,* and, I think, practical effect will be given to the views and wishes of nine-tenths, if not nineteen-twentieths of the people of Upper Canada ; while the facilities and interests of the higher branches of education will be greatly extended.

Now as to the means, by which I would promote these results, I venture to submit the following suggestions as to the outline of the plan :—

I. I would make the Crown the Trustee of the magnificent Endowment, instead of an irresponsible Corporation ; and I would transfer the sale and management of the Lands of the Endowment to the Crown Land Department, and let the investments of the proceeds of sales be made under the authority of the Crown. I have no doubt but that the management of the present University Endowment is honest and judicious ;—although it was not so formerly—but its cost to the Fund, in my opinion, is, at least, a thousand pounds per annum more than it would be were it managed by the Government as are the Grammar School Lands. The salaries of the Chairman and Bursar alone amount to Nine hundred and fifty pounds, (£950=$3,800), per annum, besides the Salaries of Clerks and the expenses of Offices, etcetera ; and, in addition to which, each Member of the Endowment Board receives One pound, five shillings for each

*i. e., the Imperial Grant of 1797 was given for the support of Grammar Schools and of "other Seminaries of a larger and more comprehensive nature," and not to one such Seminary, or College.

weekly, or semi-weekly, Meeting of the Board that he attends, and to which must be added paid Auditors, legal Counsel, Agents, etcetera. Then, the Senate, consisting partly of paid, and partly of unpaid, Members, must occupy no small portion of the time of its Meetings in passing Statutes and determining matters relating to Land affairs, and questions growing out of both of them, since a bit of the University Grounds in any part of the Province cannot be allowed for the erection of a Common School House, without grave and sometimes protracted consideration by the Senate of the University.

II. I think the time and attention of Professors can be better occupied than in spending nearly half a day of each week with such matters; and, in the best constituted Bodies, of that kind, with almost unlimited Funds at its discretionary disposal, considerable sums, from time to time, will be misapplied by the efforts and importunity of interested parties, and the absence of any apprehension of financial scarcity, or much personal responsibility in a large company of Gentlemen. The more I think of the whole system of managing the Endowment of the University, the more it appears to me to be exceedingly bungling and wasteful. If managed by a responsible Department of the Government, the Law Advisers, local Agents, Offices, and responsible Head, being already provided for, a large part of the expenses connected with the Endowment Board would be saved, the inconvenience and anomaly of such an appendage to one College of the Country would be removed, and the duties of the Authorites of the Toronto University College would be simplified and rendered appropriate to the objects of a literary Body and literary Professors. The responsible Government of the Country would thus be made the responsible and managing Trustee for the University, as well as it now is for the Grammar and Common School land endowment designed for the Education of the Country; and there could be no more reason to apprehend any abuse, or violation of the integrity, of the Endowment in the one case, any more than in the other. On the contrary, I do not think the Endowment of the Toronto University, as now constituted, can be maintained for many years. It may also be remarked, that the Trusteeship and management of all Landed Endowments for University, and Literary, and Educational purposes of every description, is with the Government in each of the neighboring States; and I believe such Endowments are managed there with great economy and fidelity; nor have I ever heard of an instance of one of those Endowments having been abolished, or perverted, even in the least advanced and most democratic State in the Union.

III. I would propose further to maintain, and give effect to the idea, which has been vaguely, though popularly held, namely the idea, or ideal, of a Provincial University,—sustaining a common relation to all the Colleges of the Country, and providing instruction in Subjects and Branches of Science and Literature, which do not come within the undergraduate curriculum in any College. I would suggest the establishment of an Institution to be designated: "The University of Upper Canada," the Council, or Supreme Authority, of which should be designated "The Regents of the University of Upper Canada," consisting of, say, the President, or Principal, and one Professor of each College, (to be chosen by the Authorities of such Colleges,) and twelve persons appointed by the Crown,—three of whom should retire annually, and be reappointed, or their places filled by others, at the pleasure of the Crown. I think that at present about Three thousand pounds, (£3,000 =$12,000,) per annum of the University Endowment should be placed at the disposal of the Regents, of which at least One thousand pounds, (£1,000=$4,000), per annum should be expended by them in the purchase of Books, Specimens and Objects of Various Kinds, suitable for a University Library and Museum. I would transfer to this University the Library and Museum of the present Toronto University; I would connect with this University such Professors as those of Ancient and Modern Philosophy and Literature, General History, Astronomy, Political Economy, Civil Engineering, Agriculture, etcetera; I would make the Library and Lectures free to the Professors, Graduates and Undergraduates of all the Incorporated Colleges, and, perhaps, to the Members and Students of the Professions generally, according to certain prescribed Regulations. I would have the Lectures easily accessable, if not free, to the Public. The Building for such an University would consist of four, or six, Lecture Rooms, or Theatres, a Library and Museum. Two, or more, of the Courses of Lectures could be delivered in the same Lecture Room, as they are in Paris. Sometimes five, or six, Courses of Lectures are there delivered in the same Room. A Janitor is sufficient for the care of such a Building; and one Librarian would be sufficient for the Library and Museum. The cost of such a Building need not exceed Six thousand pounds, (£6,000 =$24,000). But excellent accommodations, at little expense, can, in the meantime, be obtained for the professional Lectures. Plans have been prepared, and tenders have been made, (but not yet accepted) for the erection of Toronto University Buildings, at an estimated expense of about Twenty thousand pounds, (£20,000=$80,000), but the present Building is ample to accommodate all the Undergraduates attending, or likely to attend, the College for many years to come. I would make the appointments, or elections, of Professors periodical, at least to some of the Professorships, as is the case in several of the University Professorships at Oxford and Cambridge. As the duties of a Professorship would

chiefly consist of a limited number of Lectures, during certain months of the year, and would be an Honorary distinction, I would not have the salaries large.

IV. I would authorize the Regents of the University of Upper Canada, to establish, with the approval of the Governor General, Professorships in any Department of Science and Literature; to appoint and remove Professors and other Officers, and determine their duties and the amount of their remuneration; to appoint, from time to time, an Inspector, or Inspectors, to visit and report annually upon the state of all Colleges and Grammar Schools, receiving public aid; to possess and exercise, by a Committee, or otherwise, all the powers, in regard to the Normal School, Text and Library Books and Regulations for Common Schools, that are now exercised by the Council of Public Instruction; and all the powers which were proposed to be given to that Body by the Grammar School Bill of 1850* in regard to Grammar Schools; to determine the standard and conditions of conferring Degrees in the Arts and Sciences; to appoint Examiners to examine and confer Degrees on Candidates presenting themselves, according to conditions prescribed by any of the Incorporated Colleges in Upper Canada,—so that, if the Degrees of any of these Colleges should be of little value, there would be a remedy for the evil, and meritorious men would be able to obtain the distinction to which they might be entitled.

V. I think there can be no comparison between the influences upon Literature and Science of a number of Professors in a University, thus constituted, and that of the same number of Professors, and, at the same expense, attached to the present Toronto University, attended by some score of undergraduates, not one of whom might attend any of the Lectures referred to; nor do I think the importance of such a Body as the proposed Regents can be easily over rated, in giving weight, unity, symmetry, and appropriateness to every part of our System of Public Instruction.

A Proposed Grant in aid of Legal and Medical Education.

VI. Though it may be said, and said popularly, that the Legal and Medical Professions should provide for their own Professional Education, as well as the Profession of Theology; yet I would be in favour of granting from the University Fund some Five Hundred pounds, (£500,) or more, per annum to the Law Society for the employment of Law-Lecturers, as that Society is incorporated, determines the conditions of admission to the study of the Profession, prescribes Regulations for Students-at-Law and then prescribes the Standard of Examination for their admission as Barristers, I think it would be appropriate for the Authorities of the Law Society to prescribe a Course of Studies and Courses of Lectures for Law Students, appoint Lecturers and require such courses to be delivered during Term time, to be attended by all Students-at-Law, who should be examined in the subjects of such Lectures, as well as in the Law Books which are required to be read. It appears to me that such a system in the Law Department is simple and feasible, and that, if carried into effect, would exert a salutary influence upon the whole Legal Profession in Upper Canada,—very different from having one Professor of Law in the University, lecturing betimes to some half a dozen Students, but not recognized in any way by the incorporated Law Society of Upper Canada.

Should the Medical Profession of Upper Canada be incorporated in a manner similar to that in which the Legal Profession has been incorporated, I think Seven hundred and fifty pounds, (£750,) or One thousand pounds, (£1,000,) per annum of the University Endowment might be devoted for the instruction of students, and the present Medical Lecture Rooms of the Toronto University, might be placed at the disposal of such Medical Society, for the employment of Lecturers, and for other purposes, in the interest of the Medical Profession and Medical Science in Upper Canada.

VII. Such are the General Suggestions, (without entering further into, and indeed omitting, details,) I venture to submit on this grave and comprehensive subject,—Suggestions, however, the most important of which I meditated on some of the highest Mountains in Europe several years ago, and which I embodied in substance in my Report on a System of Public Elementary Education in Upper Canada, which was first published in 1846, but which I have long despaired of seeing carried into effect†, and, therefore, consigned to oblivion.

The whole of what I have proposed, it will be recollected, may be carried into effect, within the present annual income of the Toronto University and which is now expended on that Institution alone.

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*This Bill was laid over in 1850, but was passed in the Session of the Legislature of 1852, 53. See a portion of this Chapter further on of this Volume.

†This part of his Report, to which Doctor Ryerson refers, will be found on pages 195-198 of the Sixth Volume of this Documentary History.

In conclusion, I may remark that the plan I have proposed in this Communication appears to me to possess, among others, the following advantages :—

1. It will give the fullest practical effect to the theory long advocated of a Provincial University.

2. It will continue to those who desire it, the privilege of a "non-sectarian College."

3. It will satisfy the wishes of those largest sections of the community, who insist upon Denominational Colleges ; and it will efficiently aid these Colleges, without "endowing sectarianism."

4. It will secure the integrity of the University Endowment, and provide for a much more economical and efficient application of it than that which is now made.

5. It will associate with the Higher Education of Youth,those Religious and Moral influences, restraints and aids, which are the great agents and best guarantees of the virtues and morals of the Country.

6. It will give harmony and completeness to our whole System of Public Instruction, and bring into operation new and powerful agents and influences for the advancement and extension of the higher branches of general Science and Literature.

7. It will secure the important desideratum of placing at the disposal of the Crown a large and rapidly increasing University Fund, which may be applied, from time to time, (perhaps most satisfactorily and judiciously, on the recommendation of the Regents of the University of Upper Canada,) as the wants and interests of the Country shall require,—increasing the facilities of Collegiate Education, as well as promoting the extension of practical Science and the diffusion of general Literature.

I should feel it necessary to apologize for the great length of this communication, were I not satisfied, from your own great experience, that you are fully sensible of the impossibility of presenting within narrow limits any thing like a clear and impressive exposition of topics so intricate, numerous and important, as those which have entered into the system submitted to your consideration.

TORONTO, July 22nd, 1852. EGERTON RYERSON.

ENCLOSURE : A PROPOSED BILL OF AN ACT FOR THE ESTABLISHMENT OF AN UNIVERSITY, AND THE PROMOTION OF A SYSTEM OF LIBERAL AND GENERAL EDUCATION IN UPPER CANADA.

WHEREAS, it is the duty of this Legislature, for the advancement of religion and morality, and the promotion of useful knowledge, to hold forth to all classes and denominations of Her Majesty's Faithful Subjects in Upper Canada, without any distinction whatsoever, every possible facility and encouragement for pursuing a regular and liberal course of Education, and for the acquisition of extensive and useful knowledge in Literature, Science and the Arts :

AND WHEREAS, the University Endowment of Upper Canada ought to be made as effective as possible for the promotion of these generous and patriotic objects, but it is far from being so now, and is not likely to be so under the law, as it now exists :

AND WHEREAS, it is the conviction of a very large portion of the people of Upper Canada, that the Religious and Moral principles and habits of Youth ought not to be wholly unprovided for, neglected and disregarded, while separated from the care and instructions of their own Parents and Pastors ; in the prosecution of a Liberal Education,— a conviction that ought to be respected and recognized as the basis of public order and liberty :

AND WHEREAS, the interests of sound learning and knowledge would be advanced in Upper Canada by the creation of a Body, the most learned and respectable, (and not identified with, and influenced by, considerations peculiar to any one College, sectional interest, or party,) to confer merited Degrees and Honours in Literature, Science, and the Arts.

AND WHEREAS, it has been found by experience in England, that the London University, by means of Examinations, has been able to maintain a high National Standard of Liberal Education, and, at the same time, to countenance and encourage the fullest and widest exercise of the right and liberty of teaching on the part of Religious Persuasions, Corporations, and Individuals :

AND WHEREAS it is desirable and important to adopt, and adapt, as far as possible, to the wants and circumstances of the People of Upper Canada, the principles of the London University, to develop and combine the influence and exertions of all Denominations and classes of the population in the great work of promoting liberal education, to provide facilities for instruction in the Science of Agriculture, Mechanics and Civil Engineering, as well as in the

higher branches of Literature and Science, and to give unity and efficiency to every department of the system of Public Instruction in Upper Canada;*

Powers of Senate and Endowment Board transferred to Crown Lands Department.

I. *Be it, therefore, enacted*, etcetera, That for, and notwithstanding, anything contained in any Law, or Statute, to the contrary, all the powers heretofore exercised by the Senate and Endowment Board of the University of Toronto, in regard to the Endowment and Property of whatever kind belonging to the said University, shall be, and are hereby, transferred to the Crown, to be exercised hereafter through the Commissioner of Crown Lands.

1st Proviso.

Provided, Always, That the foregoing provision, as far as it relates to the Endowment Board, shall not take effect until official intimation be given to said Board, that the said Commissioner of Crown Lands is prepared to assume the discharge of the duties assigned to him, by this Act; whereupon the functions of the said Endowment Board shall cease and determine, and all Books, Papers, Documents, and other Property, belonging to the said University, shall be delivered over to the said Commissioner of Crown Lands.

2nd Proviso.

Provided, Secondly, That all lawful contracts, or agreements, made, and obligations incurred, by the Senate and Endowment Board of the said University, shall devolve upon, and, be fulfilled by the Crown.

3rd Proviso.

Provided, Thirdly, That the proceeds of the Lands, or Funds, of the said University, after deducting the necessary expenses of management, shall be expended for the promotion of Science, Literature and knowledge in connection with the University of Upper Canada, and for no other purpose whatever.

University of Upper Canada constituted.

II. *Be it enacted*, That there shall be established at Toronto, a Body Politic and Corporate, by the name of the University of Upper Canada, the government of which shall be vested in a Sehate, and the object of which shall be;

Functions of the University.

(1.) To ascertain by means of examinations, the persons who have acquired proficiency in Literature, Science, and the Arts, and reward them by Academical Degrees, as evidence of their respective attainments, and by marks of honour proportionable thereunto:

(2.) To impart knowledge in the higher departments of Science, Literature and the Arts, by means of Professors, Lectures, and Publications:

(3.) To prescribe the conditions on which Academical Degrees and Honours shall be conferred, to make the Regulations to be observed, and prescribe the subjects to be pursued in the Grammar, Normal and Common Schools of Upper Canada, the Text-books to be used in the said Schools, and the Books for Grammar and Common School Libraries, and the Rules of managing them.

Senate constituted.

III. *Be it enacted*, That the Senate of the University of Upper Canada shall consist of the Professors therein, the Judges of the Courts of Queen's Bench, Chancery and Common Pleas, in Upper Canada, the Chief Superintendent of Education for Upper Canada, the President, or other Head, of each of the Colleges which shall become connected with the said University, and not less than six, nor more than twelve, other Persons, to be appointed by the Crown during pleasure. The precedence of Members shall be determined by the foregoing order of their names, by the order of the incorporation of their Colleges with the University, and by the order of their appointment to the Senate. All questions as to the precedence of Members, shall be decided by the Senate.

Officers of the University.

IV. *Be it enacted*, That the Officers of said University of Upper Canada shall be a Chancellor, Vice-Chancellor, Professors and Lecturers. The Chancellor shall be appointed by the Crown during pleasure; the Vice-Chancellor, Professors and Lecturers shall be appointed by the Senate of said University. The Chancellor shall preside at all Meetings of the Senate of said University, and, in his absence, the Vice-Chancellor, and, in the absence of both, the Senior Member of said Senate.

Proviso.

Provided always, That no appointment of a Professor, or Lecturer, in said University of Upper Canada shall take effect, until first approved by the Governor General.

Meetings of Senate.

V. *Be it enacted*, That all Meetings of the Senate, except adjourned Meetings, shall be held at such time and place as the Chancellor may appoint, or, in case of his office being vacant, or he be absent, the Vice-Chancellor, or, if he be also absent, or the offices of both be vacant, the Senior Member, shall appoint the time and place of Meeting; and, at all Meetings of the Senate, seven Members shall be a Quorum for the transaction of business; and all questions of business shall be decided by vote, and the presiding officer shall have a second, or casting vote, in case of an equality of votes on any question.

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* Reference to the University of London will be found on pages 64 and 95 of the Third Volume of this Documentary History; on page 284 of the Fourth Volume; on pages 37, 44, 52, 3 and 227 of the Fifth Volume; on pages 46, 7 of the Seventh Volume, and on pages 115, 134, 224, 235, 263 and 264 of the Ninth Volume.

The two University Bills introduced into the House of Assembly by the Honourable Henry Sherwood and Mr. W. H. Boulton during the Session of 1851 were designed to construct the University of Toronto on the model of the University of London. See pages 222 and 232 of the Ninth Volume of this History.

1st Proviso. *Provided, always*, That the Members present, whether a Quorum, or otherwise, at any Meeting lawfully called, shall have power to adjourn from time to time, not exceeding six days at a time.

2nd Proviso. *Provided, also*, That a Meeting shall be called by the Officer or Member authorized to appoint the same, whenever any three Members, in writing, so request.

3rd Proviso. *Provided, likewise*, That no Meeting of the Senate, except an adjourned one, shall be deemed lawful, unless six days notice of the same, from the time of calling, it shall be given to all of the Members.

Senate to be a Corporation. VI. *Be it enacted*, That the Senate of the said University of Upper Canada shall be a Corporation, and, for the time being, shall have the entire management of, and superintendence over the affairs, concerns, Property and Income which shall be granted to, or placed at the disposal of, the said Senate; to appoint such Officers and Servants, and determine their duties and compensation, as said Senate shall think proper; and,

Its Powers. in all cases unprovided for, by this Act, it shall be lawful for the Senate to act in such manner as it shall judge best calculated to promote the purposes intended by the University, and shall have full power from time to time to make and alter any By-laws and Regulations, or Orders, touching the examination for Degrees and the granting of the same; touching the mode and time of conveying the Meetings of the Senate: and, in general, touching all matters, whatsoever, regarding the said University. And all

By-laws, Regulations and Orders to be binding. such By-laws, Regulations and Orders, when reduced into writing, and signed by the Chancellor, Vice-Chancellor, or other presiding Officer of the Senate, shall be binding upon all persons and upon all members thereof, and all Candidates for Degrees to be conferred by the same: all such By-laws, Regulations, and Orders having been first submitted to the Governor-General, through the Secretary of the Province, and not having been disapproved by him, within three months after the passing thereof. And

Conferring of Degrees. the Senate of said University shall have full power and authority to confer Degrees in all the Arts and Faculties, (that of Divinity excepted,) including Honorary Degrees, Degrees, *ad eundem*, and all other University powers and privileges, as fully and

Senate to possess all other Powers. effectually, to all intents and purposes whatsoever, as such power and authority is held, possessed or enjoyed, by the Universities of the United Kingdom of Great Britain and Ireland, or any of them:

Proviso. *Provided always*, That all persons, who, up to the time of the passing of this Act, have received Degrees from any University, or College, invested by law with University powers in Upper Canada, shall be entitled to all the privileges which shall be enjoyed by persons receiving the same Degrees from the said University of Upper Canada.

Acknowledgement of the Foregoing Letter and Draft of the University Bill.

Note. From a number of Private and Confidential Letters addressed by the Honourable (afterwards Sir) Francis Hincks to the Reverend Doctor Ryerson, in 1850-1853, I have selected such portions of them as would throw light on the nature of the understanding which was arrived at in regard to the ever recurring and troublesome question of the Toronto University.

Owing to various causes, well known at the time, and to some extent, referred to in the following Letter, the University question of that day was not settled as either Mr. Hincks, or Doctor Ryerson, desired. After consultation with friends, supporters and others, the Members of the Government agreed to a compromise Measure, which was embodied in a new Draft of Bill, and passed as the University Act of 1853, which will be found on pages 117-126 of this Volume.

I have also in this Chapter inserted certain Correspondence which took place between the Honourable William B. Richards, Attorney General, (afterwards Chief Justice,) on the subject of the Separate School provisions of the Supplementary School Bill, of which Mr. Richards had charge in the House of Assembly as well as one of a temporary character, which was passed in 1852.

The Supplementary School Act of 1853 was designed to supply omissions which occurred, or were made, during the passage through the Legislature of the otherwise comprehensive School Act of 1850.

The Supplementary School Act also contained, for the first time, a series of important financial provisions, designed to aid in the expansion of the Grammar and Public School Systems, in the form of School Libraries and various School Requisites and requirements which, up to that time, had no recognised place in the Upper Canada System of Public Instruction. The following is a copy of Mr. Hincks' Letter of the 9th of August 1852:—

(*Confidential.*) 1. You understand enough of the working of Governments, not to be surprised at my delay in answering your valued Letter of the 22nd ultimo, on the subject of Collegiate Education in Upper Canada, which has had my best attention.

2. Of all subjects, that I have had to deal with, this one presents the greatest difficulties, owing to prejudices, which it is evident you fully understand.

3. I think in substance, (*i.e.*, in all but very minor details,) your Educational Scheme would give satisfaction to the public, and I can hardly help thinking, that, if brought forward boldly by the present Ministry, it might be carried. It would be certainly a most important advantage to the existing Colleges, and they ought to make some sacrifices to aid us.

4. Let me begin by saying, that, I think we are all agreed on some points, which I will state.

First, That the management of the University Trust be vested in the Government.

Second, That the University shall be on the plan of the University of London, not to teach, but to test by Examination.*

Third, There shall be on the University foundation, a number of Professorships, or Lectureships, to be increased from time to time, and to be agreed upon when the Bill comes to be passed. Chemistry, might, I think, be included; Natural History, Political Economy, etcetera. I need not describe them further. History must, I think, be left to the Colleges, as Roman Catholics and Protestants would not likely agree in regard to it, and, probably, all Protestants would find a difficulty in doing so.

Fourth, There should be one University College affiliated to the University, with a fixed sum allowed for its maintenance and the use of certain Buildings to be agreed upon.

Fifth, No allowance should be made to such College, for Professorships in either Law, or Medicine. I think we could all agree on the foregoing propositions.

4. I now come to the affiliation of the other Colleges. Certain conditions would have to be prescribed. What should those be? Here is the difficulty. I would not be disposed to press the conditions too hard, but you must be aware that there would be tremendous difficulty in our agreeing to anything like the old Draper method of division.† The condition spoken of is the abolition of all Religious Tests, either for Professors, or Students. While this would be very important, in relieving us from any direct sanction of sectarisnism, it would not practically, I apprehend, be of any consequence. I should not suppose, that in Trinity College, they required the protection of a test. But,

Secondly, Would the Colleges surrender the privilege of conferring Degrees in Arts, retaining the power of conferring them in Divinity? What Colleges should be affiliated, and in what way? If we take all Incorporated Colleges, we would have a second Roman Catholic one, at Bytown. If we designate by name, we should appear to exclude all but sectarian ones.

5. However, I think we have pretty much made up our minds not to legislate this Session regarding the mode of affiliation. If a very good plan were hit upon, this might be changed, especially if we found the scheme likely to take. We are considering whether we might not legislate on the several points in which we can more freely agree at once.

6. I may write you more on this point in a day or two, meantime I wish you would quietly sound a few on whom you can rely. . . . You might speak of the Bill as a desirable

* See Note in regard to this suggestion on pages 151-153 of this Chapter. See also Section II (1), on page 155.

† For this "Draper method of division," see Section XXVIII of the Draper University Bill of 1845, page 163 of the Fifth Volume of this Documentary History. See also Section XXVIII of Mr. G. B. Hall's University Bill of 1846, (pages 38-42 of the Sixth Volume,) which is identical with the "Draper method of division," as provided for in his Bill of 1845, to which reference is made in this Note.

measure, if an agreement could be come to, among the various classes of Christians, without interfering with their conscientious convictions. I would like especially to know whether Doctor Strachan, the Bishop of Toronto, could do anything, and if so, what? He surely ought to make some concession. . . Trinity College, (as also other Colleges,) is to get One thousand pounds, (£1,000), per annum. . . If the Bishop were unreasonable, perhaps a pressure could be brought to bear on him. I wish you would write me as soon as you can, on the subject of the mode of affiliation, and what you can glean (from outside in regard to) the General Scheme. Meantime, I really think, that it would be a great pity were any further expenditure for University Buildings sanctioned. . .

QUEBEC, 9th of August, 1852. FRANCIS HINCKS.

NOTE.—To this Letter from the Honourable Francis Hincks, a private reply was sent, but no copy of it is available. It was, however, acknowledged by Mr. Hincks in the following Communication addressed by him to Doctor Ryerson, dated the 21st of August, 1852 :

(*Confidential.*) Yours of the 18th instant I have just received. The best mode of affiliation I think would be in addition to the suggestions made by you, to require an Act of Incorporation and a Legislative Grant equal, at least, to the amount to be granted from the University Funds. At all events, I think that the Act of Incorporation should be required. I do not mind [the person you name]. He is, of course, interested. I really hope that something can be worked out.

I think you had better go to work on a University Bill, [in harmony] with our own views. I think I would not use the term "Regents." It looks too much like imitation. Get from Doctor McCaul information as to what he would require as a Staff for University College ; and I also think it would be well to find out from others what Professorships they would think might be common to all the other Colleges—I mean those on the University foundation and giving free Lectures, or nearly so Surely even the Roman Catholics can agree to something [practical]. The proposition made [to me] regarding Scholarships is not reasonable. . What about the Grammar School Bill? .

QUEBEC, 21st August, 1852. FRANCIS HINCKS.

NOTE. Apparently no reply was sent by Doctor Ryerson to this Letter. But soon after that Letter was written, Mr. Hincks, in the following Note, acknowledged the receipt from Doctor Ryerson of his Draft of a University Bill, and also his explanatory Letter. He said :—

I merely write a line, in the hurry of business, to say, that I have received your Letter and Draft of Bill, and as you propose coming down I shall, with your permission, postpone all remarks on them until we meet. . .

QUEBEC, 10th September, 1852. FRANCIS HINCKS.

On the next day, Mr. Hincks again wrote to Doctor Ryerson on the University matter, as follows :—

(*Confidential.*) I find that it will be essential to any Scheme for the University, that there should be no tests, either for Students, or Professors, excepting those for Divinity [Students, and Professors], or, at all events, those receiving aid from the University Funds, or from Parliament.

I am most anxious to know whether Trinity College Charter requires any Test ;* or, if it does, whether they will have it [changed]. Practically, it makes no difference whatever, as the management [of the College] is completely in the hands of the Church of England. I do hope that we shall have no difficulty here.

We have written [to the Senate] for the Statutes which have never been sent to the Governor General.

I do hope that we shall mature a really good [University] Measure. [Mr. Chancellor] de Blaquiére is fierce against any change.

QUEBEC 11th September, 1852. FRANCIS HINCKS.

* Neither the Act of the Legislature, incorporating Trinity College, nor the Royal Charter, granted by the Queen to the College in July, 1853, makes any reference to the matter of Tests in that Institution.

NOTE. On the 22nd of September, Mr. Hincks sent to Doctor Ryerson a copy of the proposed University Bill, which he had, on the day before, introduced into the House of Assembly, and he accompanied the copy with the following Note :—

(*Private*). I enclose a copy of the University Bill, and shall be glad of any remarks from you [on it]. The changes you will, I trust, not consider of material importance.

QUEBEC, 22nd September, 1852. FRANCIS HINCKS.

NOTE. Doctor Ryerson was in Quebec in August, but he did not go down again to see Mr. Hincks, in regard to the University Bill and other matters, until November. But, as the University Bill was not to be proceeded with until the adjourned Session of the Legislature in February, 1853, no further changes were made in it, although Mr. Hincks and Doctor Ryerson conferred together on the subject in November, and on the changes in the Bill, as introduced into the Legislature.

After Doctor Ryerson had returned to Toronto Mr. Hincks wrote again to him in December, 1852, in regard to various personal objections to the Bill on the part of the chief Officials of the University. In his Letter, he requested Doctor Ryerson to see Mr. Joseph C. Morrison, (afterwards Chancellor,) who was a Member of the Senate, and also of the Legislature, in regard to the matter. This Letter was otherwise of a more private character, as were others, which were afterwards written, and is, therefore, not inserted here.

DRAFT OF A SUPPLEMENTARY SCHOOL BILL, AND EXPLANATORY LETTER.

NOTE.—On the 26th of August, 1852, Doctor Ryerson sent to the Honourable Mr. Hincks the Draft of a Supplementary School Bill, accompanied by the following Explanatory Letter, in which he gave fully, in detail, the reasons why he submitted this Bill for the approval of the Government, and its adoption by the Legislature.

As Mr. Hincks had charge of the University Bill in the House of Assembly, during the Legislative Session of 1852-53, the introduction to the House of the Supplementary School Bill was entrusted, on behalf of the Government, to the Honourable William B. Richards, Attorney General. The following is a copy of Doctor Ryerson's Explanatory Letter to Mr. Hincks, in regard to this Bill :—

I have the honour to transmit, herewith, a Draft of an Act Supplementary to the Common School Act for Upper Canada of 1850. As I have conferred with you personally on the subject, and with those Members of the Government for Upper Canada, who were in Quebec at the time of my late visit there, I need add but a few words of explanation relative to the several Sections and clauses of the accompanying Draft of Bill.

1st Section. This Section provides a remedy for delays, disputes, and law proceedings, which have occurred in several Towns and Villages, arising from the refusal of the Municipal Councils of such Municipalities to provide the sums either for the erection of School Houses, or the salaries of Teachers, estimated by the Boards of School Trustees, as authorized and required by the Sixth clause of the Twenty-fourth Section, and the Twenty-fifth and Twenty-sixth Sections of the Common School Act of 1850 : 13th and 14th Victoria, Chapter 48.

According to the existing law, the Boards of School Trustees in Cities, Towns and Incorporated Villages, have no authority to levy any School Rates on property, as in country School Sections, but the Boards have to apply to the Municipal Council for such moneys as they require, and such Councils are required to provide whatever sum, or sums, thus required by the Board of School Trustees, otherwise the Boards must apply for a Mandamus to the Court of Queen's Bench to compel the Council to furnish the money asked for. The proposed first Section in the accompanying Draft of Bill enables the Board of School Trustees to levy and collect such School Rates themselves.

2nd Section This Section carries the principle of representative government out more fully than does the Act of 1850, in the School system, both as to the authority and responsibility of elected Representatives of School Sections. As the people determine the kind of government and measures they will have,—both provincial and municipal,—by the men they elect to the Legislative Assembly and to the Municipal Councils; so it is proposed that the same be the rule in the School System, and that the Trustees, when elected, and during the period of their being in office, shall have full power to manage the School interests of their Section according to law, and be responsible for any moneys lost through their neglect of duty.

Many embarrassments, difficulties and disputes have arisen from the restrictions imposed upon Trustees by the Seventh clause of the Twelfth Section of the Common School Act of 1850. That clause was designed to make the principles and mode of providing for the education of youth a subject of annual discussion in each School Section Meeting, and thus to diffuse much useful information. The subject is now understood, and the School Meetings, under the operation of the clause referred to, are made, (in these early days of Free School discussions,) the scene of party disorders and sometimes of personal violence, rather than of calm deliberation. In some instances, by wealthy, selfish persons, opposed to a Free School, or to a School at all, the majority of a School Meeting are induced to vote against providing any mode whatever for raising, or collecting, the Teacher's salary, at other times the vote is in favour of a Rate-bill so high, that nobody will send to the School; and, in a variety of ways, which would occupy many sheets to describe, are Trustees embarrassed at these Meetings by persons opposed either to them, or to the Teacher, whom they employ. To remedy this evil, I have received scores of applications,—and several Newspapers have urged the same,—to get a law passed to make all the Schools free. But although the people in many Townships, and in some of the Towns and Villages are fully prepared for this step, yet I think it is premature to enact a general law to that effect.* I propose still to leave it with each School Municipality, or Section, to determine the mode, in which it will support its own School, or Schools. I would still seek to remedy the evils left and complained of, by leaving it to the School electors to decide the question by the men whom they shall elect to represent them,—and then, by giving the School Representatives, thus elected, the power to decide on the manner of supporting the School, as they now do, in regard to the amount to be expended and of the Teacher to be employed.

The *First proviso* in this Second Section imposes a restriction in the levying of School Rates, which I have found to be necessary, (in a great number of instances,) in giving official decisions on questions of complaint and appeal to the Department. It has been voted on at numbers of School Section Meetings, and supported by many wealthy Trustees, that each man should be rated, or taxed, according to the number of his children, instead of according to the value of his property. In this way many poor men, with large families, have been sorely pressed; but, under the advice of the late Attorney-General Baldwin, I have uniformly decided against the lawfulness of taxing any man according to the number of his children. To prevent such proceedings, and to supersede the necessity of such appeals, I have suggested this proviso.

The *Second* proviso is designed to remedy a common evil of serious magnitude. No one of the Trustees School returns, (required by law,) and on which the distribution of the School Fund to each School Section is determined, can be made without a proper School Register, and that properly kept in each School. But the existing law does not require Trustees to provide the School with such a Register. I have prepared one, got it stereotyped, and made it accessible at cost price to each School Section; but not more than one half of the Trustees in the Province, have provided their Schools with a Register, and the complaint is, that such and such a School is not provided with a Register, or a Visitor's Book, and, therefore, that no accurate returns can be made—there being no Register of names, or of the attendance of Pupils kept in the School. The same remarks apply to the neglect of the Trustees in not taking a *Journal of Education*,—for want of the School information contained in which,—erroneous proceedings and disputes almost without number have taken place. I think it is better for Trustees to procure these helps, than to furnish them gratuitously, as contingent expenses of the Department; and the proviso proposed, will, I have no doubt, quietly and effectually accomplish the desired object.

* It was not until 1871 that such a "General Law," establishing a "Free School System," such as Doctor Ryerson here refers to, was passed by the Legislature.

The *Third* proviso will provide for what has been felt as desirable in about every place where there is a Grammar School,—especially in Villages ; and to aid in accomplishing which, I have had a good deal of correspondence during the last two years.

The *Fourth* and *Fifth* Provisos in this Section will secure the keeping open of a School in each Section during, at least, six months of each year, and the punctual transmission of the Reports required by law. This is the method which experience, in the State of New York, has shown to be the most, (and, indeed, the only,) effectual means of securing the discharge of duties by Trustees, who, in some instances, are not friendly to School Rates of any kind, and, in other instances, get offended with a portion of their constituents, (and especially in anticipation of not being re-elected to office.) and think to revenge themselves by preventing the hostile majority from getting aid from the School Fund during the ensuing year ; and this they do, by not having the school kept open during the time, or not preparing and transmitting the annual School Report, required by law. The Third and Fourth Provisos will prevent such occurrences, and will secure each School Section against pecuniary loss by any such conduct on the part of a majority of its Trustees.

The *Sixth* Proviso will prevent abuses of power and evils which have occurred in many instances, in which the retiring Trustee of a School Section, and the Teacher, have combined with one of the other two Trustees, against the wishes of the remaining Trustee, and a majority of the inhabitants in the School Section, to impose the Teacher again upon the majority of the Trustees and of their constituents against their wishes, for another year. In a number of instances an Agreement has been made with the Teacher for a year, on the very evening before the annual election of Trustees, and in some instances, the very morning of such election, and signed by the Trustee retiring from office and one of the other Trustees, against what was known to be the views of the third Trustee, and what were wishes of a majority of the electors in the choice which they would make in the course of a few hours.

Third Section. Trustees have in some instances, exercised the power expressly conferred upon them by this Section, but some County Judges have expressed doubts as to Trustees possessing it ; and I think the First clause of the Eighteenth Section of the Act of 1850, taken in connexion with the first nine clauses of the Twelfth Section, leaves room to doubt whether Trustees possess any such power. I know it was intended that they should possess the power of levying and collecting any School Rates, except those for the purchase of School Sites and the building of School Houses ; and this has been the general practice. But, though by the provisions of the Common School Act of 1850, Township Councils are left no discretion, but are required to levy and collect whatever sum, or sums, any corporation of Trustees may require, on behalf of their School Section, for the purchase of a School Site and the building of a School House ; yet the opposition and difficulties between Township Councils and Trustees on this subject, have been numerous and productive of much evil. When persons in a School Section, who do not wish to be taxed for the erection of a School House, and cannot succeed in their opposition in the Section, they go to the Council and generally succeed there, as a majority of the Council have no personal interest in the matter, and assuming to judge of the location of the School House, the expense of erecting it, (which they had no right to do, according to law,) they can be easily dissuaded from adopting a Resolution which involves taxation, alleging extravagance, etcetera. The proposed Section, in this Draft of Bill, will terminate such disputes, delays and obstacles in the way of getting better School Houses, and the Bill has, at the same time, a restrictive proviso, which affords the best guarantee for the judicious selection of School Sites.

Fourth Section. This Section is designed to remedy an evil which has been experienced in many instances, where one School Section has established a Free School, and an adjoining one has a Rate-bill School. Many persons in the latter case will send to the School of the other Section, in order to avoid the payment of the Rate-bill, and the Trustees and Teacher of that other School Section are willing to receive the children of such persons, because it will augment the amount of the School Fund payable to their Section, since the Fund is distributed among all of the School Sections according to the average attendance of pupils at them. The necessity of School Sections themselves involves the necessity of means to establish and maintain a good School in each of them ; and this cannot be done, in many places, without securing to it the protection and support given by this Section of the Bill. The attendance at Schools in some Sections, during the past year, have been reduced almost to nothing, while those of adjoining Sections have been crowded to excess, from the causes that I have mentioned. If any person sends to a private School, and not to a Section School, out of his own Section, this provision in the Bill cannot apply to him.

Fifth Section. The necessity of this Section will appear from the facts, that local Superintendents of Schools have to make out their annual School Reports between the first of January and the first of March, and when the Superintendent is changed, (it is universally the case,) when changes are made at the semi-annual Meeting of the County Council, held in January, or February, then the Superin-

tendent of the previous year is required to make out his Annual Report after he has retired from office, and ceases to be remunerated for his labour, or his papers are handed over to his Successor, who has not visited the Schools during the previous year,—who knows nothing of their character,—and who is unable to make out any satisfactory Report of them. Great delays and inconveniences in preparing the Local Superintendents School Reports, and in other School matters, have been experienced from a change of Local Superintendents during the Winter. This Section of the Bill proposes, therefore, to prevent such changes being made before the first of April,—after the time for the completion of the Annual Reports, and the Winter visitation of the Schools.

The several Provisos in this Section of the Bill a designed to provide for cases, most of which I have had to make subjects of instruction in the administration of the School law, but which I think it is desirable to define and provide for in a more authoritative and explicit manner. Each of these Provisos is necessary in oredr to supply a want that has been felt ; and their suitableness and propriety are too obvious to require further remarks.

TORONTO, 26th August, 1852. EGERTON RYERSON.

FURTHER EXPLANATORY REMARKS ON THE BILL RELATING TO SEPARATE SCHOOLS.

NOTE. The following is a copy of an addition to his Explanatory Letter addressed by the Chief Superintendent of Education to the Honourable Francis Hincks, with a Draft of the Supplementary School Bill, of which the following Sections formed a part :—

Sixth Section. This Section is designed as supplementary to the Ninteenth Section of the Common School Act of 1850,—in regard to Separate Schools. The most simple, and, perhaps, the most satisfactory mode of silencing clamour on the part of parties demanding these Schools, (if they are permitted to continue at all,) is that which is proposed in the additional part of the Section, (contained in the margin) * namely, to relieve the parents and guardians sending children to these Schools from paying any School Tax whatever, and then allowing them to share in the School Fund with the other Schools, according to average attendance in the same Municipality in the Legislative School Grant alone, in case such a provision were adopted.

1. There would be no provision in the School law requiring a public Municipal Tax for Denominational Schools, and all opposition and clamour against it would, therefore, cease.

2. There could be no complaint from any quarter that the supporters of a Separate School paid more or less, in School Taxes, than they received from the School Fund.

3. All the inhabitants of a Municipality, except those who might choose to send children to the Separate School, could proceed with their School interests, as if no other class of persons were in existence.

4. The Teachers of Separate Schools might be relieved from appearing before the County Boards of Public Instruction for examination, and thus the last vestige of possible agitation between the supporters of Separate Schools and the Municipal authorities, in relation to the subject at all, would be removed.

If, on the other hand, the clause, as expressed in the text of this Bill is preferred, then all Teachers of Separate Schools should be required to appear before the County Board of Public Instruction for examination, as are other Teachers of Common Schools ; for I hold it as a sacred principle of Municipal right, that no Municipality should be required to assess and collect money for the support of Teachers, whose qualifications to teach are not attested by a Board appointed by such Municipality. Before any such Board there is no examination as to Religious Doctrines, or knowledge. The certificate of the Priest, Clergymen, or Minister, of the Religious Persuasions, to which each Candidate professes to adhere, is taken by each County Board as the guarantee for the Religious qualifications of such Candidate.

It will be observed, that in this (Sixth) Section of the Bill, I do not propose to specify the manner in which persons exempted from School Taxes shall be returned, or ascertained, for, if any one mode be specified, it will be abused by many persons, merely with a view of avoiding the payment of any School Tax. I, therefore, propose to leave it a matter of instruction as to the mode of carrying this, as well as every other provision of the law into effect, so that a proper kind of inspection can be employed, such as will prevent imposition, or abuse. Then, the Section does not, any more than the Ninteenth Section of the existing law of 1850, give the persons who petition for, and send children to the Separate School, control over all

*Incorporated in the Text of the printed copy of the Draft Bill.

the Roman Catholics, or Protestants, of the Municipality, but only over those of the Religious Persuasions who chose to support the Separate School.

Objection to Municipal Taxation for Separate Schools.

But I find that the very mention of a separate column on the Tax Roll for a Separate School, excites an hostility and feeling that you can hardly conceive. I find very few having feelings as indulgent as I have in such matters. But I am apprehensive that some Municipalities would refuse to levy any School assessment whatever, under such circumstances ; and probably Boards of School Trustees would feel still more strongly. Many of their Members would sooner go to prison, than be the instrument of collecting moneys for the support of such Schools, and Roman Catholics would loudly exclaim against being Tax-assessors and Tax-collectors for the support of Protestant Schools. The proposition of a separate column on the Tax Roll for the support of Separate Schools, would give an immense advantage to all opponents of Separate Schools ; but the Sixth Section in the accompanying Draft of Bill, (as proposed in the margin)* will, I think, give all that can be reasonably asked by any person in support of Denominational Schools, and will, I trust, extinguish all agitation on the subject, and yet require such conditions, Returns and Inspection, in connexion with Separate Schools, as will prevent abuses upon the School Grant.

It may be objected, that, should persons, at one time sending children to a Separate School, afterwards wish to send them to a Common School, they should be required to pay the Taxes at least for the erection of the School House, from which they have been exempted ; but this would oppose an obstacle to their coming back to the Public School ; and I would wish to leave the door as wide open as possible for that purpose.

I may add that the subject of this Section of the Draft of Bill has deeply exercised my mind. The part of the Section, (as proposed in the margin) occurred to me after that in the original page was transcribed ; and, I think, it is the nearest approach to the solution of the difficulties connected with Separate Schools, if they are allowed to exist, that has yet been proposed.

Seventh Section. This Section provides for the first elections of Trustees in newly Incorporated Villages, for which there is no express provision in the present School Act of 1850. Calling to my assistance the One hundred and fourteenth and Two hundred and third Sections of the Municipal Act : 12th Victoria, Chapter 81, I made out to suggest what appeared to be a lawful mode of giving notices for a first election of Trustees in Villages which have become incorporated since the passing of the Common School Act of 1850. The lawfulness of these elections have never been called in question by any one,—or, perhaps, doubted, except by myself ; but I think, an express provision should be made in the Bill for the first election of Trustees in Villages that may become incorporated, and that seems to suggest the propriety, if not necessity, of confirming those elections which have already taken place without such a provision.

Eighth Section. This Section is to provide for cases connected with elections in Cities, Towns and Incorporated Villages, for which no provision exists in the Common School Act of 1850, but out of which one, or two, expensive law suits have arisen. I had forgotten it, until it was pressed upon me lately by two Gentlemen who had been connected with such proceedings, and who told me that there was no uniformity in the taking of votes by different Returning Officers, even in the different Wards of their respective Towns.

The *Ninth* Section has been added, in consequence of what has recently occurred in the City of Toronto,—there being no express provision, or authority, in the law to investigate and decide upon complaints as to the mode of conducting School elections in Cities, Towns and Villages, as there is in the Fourteenth Section of the Supplementary School Act, in regard to Trustee elections in School Sections.

The *Ninth* and *Tenth* Sections of this Draft of Bill require no further remark.

I may observe generally, in regard to this Draft of Bill, that it merely remedies defects, and provides for wants in the practical details of the School Law of 1850, but makes no organic changes in its principles, or general machinery.

Toronto, 26th August, 1852. Egerton Ryerson.

Note.—The following is the text of the Supplementary School Act of 1853, as originally drafted by the Chief Superintendent of Education in August, 1852. It was, however, largely modified, and several additions were made to it, before

*Incorporated in the text of the printed copy of this Draft of Bill.

it was finally introduced into the House of Assembly by the Honourable Attorney-General W. B. Richards, in March, 1853. After the Bill was thus brought before the House of Assembly, a number of important financial Sections were added to it, as the result of a conference between the Chief Superintendent of Education and the Honourable Inspector-General Hincks. These financial Sections appended to the Bill included provision for the following subject-matters, which were designed to add to the completeness and efficiency of former, and some projected new, Services of the Education Department, as proposed to the Government by the Chief Superintendent of Education, videlicet:—

1. £4,000=$16,000, additional to the Legislative School Grant.

2. £1,000=$4,000, in further aid of the Normal School, and to defray the expenses of the *Journal of Education for Upper Canada.*

3. £500=$2,000 for an Educational Library and Museum.

4. £500=$2,000 as the nucleus of a Fund for the support of Superannuated School Teachers;

Or a total of £6,000=$24,000 for the promotion and sustentation of these various objects.

I have arranged the following Documents, which relate to the Common Separate and Grammar School Legislation of 1853, in the following order:

I. The original Draft of the Supplementary School Act of 1853 prepared by the Chief Superintendent in August, 1852.

II. Additions to, and corrections made in, the text of that Bill by the Chief Superintendent in February, 1853.

III. Financial Sections added to the Bill in 1853, with Explanations therefor by the Chief Superintendent.

IV. Correspondence by telegraph and by Letter between the Honourable Inspector General Hincks and the Honourable Attorney General Richards and the Chief Superintendent of Education in regard to the Separate School Sections of the Bill.

V. Draft of the Grammar School Bill of 1850, as altered, in 1853, by the Chief Superintendent of Education.

I. The Original Draft of a Bill for an Act Supplementary to the Common School Act (of 1850) for Upper Canada.

Preamble. WHEREAS it is expedient to make some further provision for the improvement of Common Schools in Upper Canada, and to modify and extend some of the provisions of the Act of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight, intituled: "An Act for the Better Establishment and Maintenance of Common Schools in Upper Canada,"

Be it therefore enacted, etcetera:—

Powers of Boards of Trustees. I. That the Board of School Trustees in each City, Town, and Incorporated Village shall, in addition to the powers with which they are now legally invested, possess and exercise, as far as they may judge expedient, in regard to each such City, Town, and

Incorporated Village, all the powers with which the Trustees of each School Section are, or may be, invested by law, in regard to each such School Section.

II. *And be it enacted*, That the Trustees of each School Section shall, as the elected Representatives of such Section, determine the manner in which all the School Expenses of such School Section shall be provided for; whether by any, or all, of the three authorized methods of Voluntary Subscription, Rate-bill for each pupil attending the School, or by Rate upon property; Powers of School Section Trustees.

Provided, always, That no Rate shall be imposed upon the inhabitants of any School Section according to the whole number of children, or of the number of children of legal school age, residing in such Section; 1st Proviso.

Provided, *Secondly*, That the Trustees of each School Section, shall see that each School under their charge is, at all times, duly provided with a Register and Visitor's Book, in the form prepared according to law; nor shall any School Section in which such Books are not provided and duly kept, as required by law, or in which a Periodical devoted to Education is not taken by the Trustees, as required by law, be entitled to receive aid from the Common School Fund; 2nd Proviso.

Provided, *Thirdly*, that the Trustees of each School Section shall have authority to take such steps as they may deem expedient to unite their school with any Public Grammar School which shall be situated within, or adjacent to, the limits of their School Section; 3rd Proviso.

Provided, *Fourthly*, that the Trustees of each School Section shall be personally responsible for the amount of any School Moneys which shall be forfeited and lost to such School Section during the period of their continuance in office, in consequence of their neglect of duty; and the amount thus forfeited, or lost, shall be collected and applied in the manner provided by the Seventh Section of the said Act of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight, for the collection and application of the fine imposed by said Section; 4th Proviso.

Provided, *Fifthly*, that the Trustees of each School Section shall each personally forfeit the sum of One pound, Five shillings per week that they shall neglect, after the Fifteenth day of January, in each year, to prepare and forward to their Local Superintendent of Schools, their School Report, as required by law, for the year ending the Thirty-first day of December immediately preceding; and which sum, or sums, thus forfeited shall be sued for by such Local Superintendent and collected and applied in the manner provided for by the Ninth Section of the said School Act of 1850; 5th Proviso.

Provided, *Sixthly*, that no Agreement between Trustees and a Teacher in any School Section, made between the First of October and the second Wednesday in January, shall be valid, or binding, on either party after the second Wednesday in January, unless such Agreement shall have been signed by the two Trustees of such School Section, whose period of office shall extend to one year beyond the second Wednesday of January after the signing of such Agreement. 6th Proviso.

III. *And be it enacted*, That the Trustees of each School Section shall have the same authority to assess and collect Rates for the purpose of purchasing School Sites, and the erection of School Houses, that they now have, or may be invested with by law, to assess and collect Rates for other School purposes; Trustees. Rates for School Sites and Houses.

Provided, always, That they shall take no steps for procuring a School Site, on which to erect a new School House, without calling a Special Meeting of the Freeholders and Householders of their School Section to consider the matter; and, if a majority of such Freeholders and Householders present at such Meeting differ from a majority of the Trustees as to the Site of a School House, the question shall be disposed of in the manner prescribed by the Eleventh Section of the said Act of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight.

IV. *And be it enacted*, That any person residing in one School Section, and sending a child, or children, to the School of a neighbouring School Section shall be liable for the payment of all Rate-bills and Rates for the School Purposes of the Section in which he resides, the same as if he sent his child, or children, to the School of such Section; and such child, or children, shall not be returned as attending any other than the School of the Section in which the parents, or guardians, reside. Rates payable in Section where parent resides.

V. And be it enacted, That any person who has been appointed Local Superintendent of Schools, shall continue in office, (unless he resigns, or is removed from office for neglect of duty, improper conduct, or incompetency,) until the First day of April of the year following that of his appointment; No Superintendent shall be a Teacher.

Provided, always, That no Local Superintendent shall be a Teacher, or Trustee, of any Common School during the period of his being in office; 1st Proviso.

Provided, *Secondly*, That no Local Superintendent shall be required, (unless he shall judge it expedient, and, except with a view to the adjustment of disputes,) to make more than two Official Visits to each School Section under his charge; one of which Visits shall be made some time between the First of April and the First of October, and the other some time between the First of October and the First of April; 2nd Proviso, as to Visits.

3rd Proviso, as to Powers of Superintendents.

Provided, *Thirdly*, That the Local Superintendents of adjoining Townships shall have authority to determine the sum, or sums, which shall be payable from the School Apportionment and Assessment of each Township in support of Schools of Union School Sections, consisting of portions of such Townships, and they shall also determine the manner in which such sum, or sums, shall be paid;

4th Proviso.

Provided, *Fourthly*, That, in the event of one person being Local Superintendent of each of the Townships concerned, he shall act in behalf of such Townships, and, in the event of the Local Superintendents of Townships, thus concerned, not being able to agree as to the sum, or sums, to be paid by each Township, the matter shall be referred to the Chief Superintendent of Education for final decision;

5th Proviso.

Provided, *Fifthly*, That each Local Superintendent of Schools shall have authority to appoint the time and place of a Special School Section Meeting, at any time, and for any lawful purpose, should he deem it expedient to do so, and should the Trustees refuse to call such Meeting;

6th Proviso.

Provided, *Sixthly*, That each Local Superintendent of Schools shall have authority, within twenty days after any Meeting for the election of Common School Trustees within the limits of his charge, to receive and investigate any complaint respecting the mode of conducting such an election, and to confirm it, or set it aside, and appoint the time and place of a new election, as he shall judge right and proper;

7th Proviso.

Provided, *Seventhly*, That each Local Superintendent shall have authority, on due examination, (according to Programme authorized by law for the examination of Teachers,) to give any Candidate a Certificate of Qualification to teach a School within the limits of the charge of such Local Superintendent until the next ensuing Meeting, (and no longer,) of the County Board of Public Instruction, of which such Local Superintendent is a Member; but no such Certificate of Qualification shall be given a second time to the same person in the same County.

Provision for Separate Schools.

VI. *And be it enacted*, That in all Cities, Towns, Incorporated Villages, and School Sections, in which Separate Schools exist, according to the provisions of the Nineteenth Section of the said School Act of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight, all parents, or guardians, of the Religious Persuasion of such Separate School, and sending children to it, shall be exempted from the payment of all School Rates for the support of the Common Public Schools of such City, Town, Incorporated Village, or School Section, beyond the amount of the Rate, which shall be required to secure the payment of the annual Legislative School Grant apportioned to each such Municipality, or School Section;

1st Proviso, as to exemption.

Provided, always, That such exemption from the payment of the ordinary School Rates, specified, shall not extend beyond the period of the existence of a Separate School in each such City, Town, Incorporated Village, or School Section, or beyond the period of such persons sending children to it, or of their being liable to be rated for its support;

2nd proviso, general.

Provided, likewise, That the provisions of the Thirteenth Section of the said Act of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight, shall apply to the Trustees and Teachers of Separate Schools, the same as to Trustees and Teachers of other Common Schools.

NOTE. The following Section was a proposed Substitute for that of the foregoing one. It was accepted in preference to that Section, and, being fuller and more comprehensive in its provisions, it was adopted by the House of Assembly, and became the Fourth Section of the Supplementary School Act of 1853, as finally passed. (See page 134 of this Volume.)

It will be noticed that several changes,—mostly verbal,—were made in that, and other, Draft Sections during their passage through the House of Assembly.

Alternate Section as to Separate Schools.

IV. [*VI in Bill as drafted.*] *And be it enacted*, That in all Cities, Towns, and Incorporated Villages and School Sections, in which Separate Schools do, or shall exist, according to the provisions of the Nineteenth Section of the said Act, of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight, parents, or guardians, of the Religious Persuasion of each such Separate School, sending children to it, shall be exempted from the payment of all School Rates for the support of the Common Public Schools of each such City, Town, Incorporated Village, or School Section; and each such Separate School shall share in the Legislative Common School Grant Apportionment to each such City, Town, Incorporated Village, or Township, (but shall not share in any School Money raised by Local Municipal Assessment), according to the average attendance of pupils attending each such Separate School, (the mean attendance of pupils for Winter and Summer being taken), as compared with the whole average attendance of pupils attending the Common Schools in each such City, Town, Incorpor-

Teacher's Certificate.

ated Village, or Township; and a Certificate of Qualification, signed by the Bishop, or other Ecclesiastical Head of the Religious Persuasion of such Separate School, shall be sufficient for any Teacher of such Separate School;

Provided, always, *Firstly*, That the exemption from the payment of the School Rates, as herein provided, shall not extend beyond the period of such parents, or guardians, sending children to such Separate School; 1st Proviso.

Provided, *Secondly*, That the Trustees of each such Separate School shall, on, or before, the Thirteenth day of June and Thirty-first day of December of each year, transmit to their Local Superintendent, (verified by the oath of their Teacher, before a Magistrate,) a list of the names of all persons of the Religious Persuasion of such Separate School, who shall have sent children to such Separate School during the six months previously, and the names of the children sent by them respectively, together with the average attendance of the pupils in such Separate School during such period; 2d Proviso, as to Report.

Provided, *Thirdly*, That the provisions of the Thirteenth Section of the said Act, of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight, shall apply to the Trustees and Teachers of Separate Schools, the same as to Trustees and Teachers of other Common Schools; 3d Proviso. General.

Provided, *Fourthly*, That the Trustees of each such Separate School shall be a Corporation, and shall have the same power to levy and collect School Rates, or School Rate-bills, from persons sending children to such Separate School, as the Trustees of a School Section have to levy and collect School Rates, or School Rate-Bills, from persons sending to the Common School of such Section; 4th Proviso. Corporation.

Provided, *Fifthly*, That no person sending a child, or children, to a Separate School, shall be allowed to vote at the election of any Trustee for a Public Common School in the City, Town, Incorporated Village, or School Section, within the limits of which such Separate School shall be situated. . . . (For Fifth Section see page 165.) 5th Proviso. Voting Limitation.

VII. *And be it enacted*, That, in any Village in Upper Canada which shall have become incorporated according to law, an election of a Board of School Trustees for such Village shall take place as soon as convenient, in the manner provided and authorized for Incorporated Villages in the Twenty-fifth Section of said Act of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight; Village Election.

Provided, always, That the time of the first election of such Board of School Trustees shall be fixed by the Reeve of such Village; or, in case of his neglecting to do so for one month, by any two Freeholders in such Village, on giving six days notice, in at least three public places in such Village; 1st Proviso.

Provided, also, that all elections of School Trustees that have taken place in Villages, which have been incorporated since 1850, shall be and are hereby confirmed, together with all the acts of Boards of School Trustees, so elected, in such Villages; and, in all cases, the Chairman shall be elected by the Trustees from their own Body, and shall have a right to vote at all times, and also a second, or casting, vote, in case of an equality of votes. 2nd Proviso. Elections Confirmed.

VIII. *And be it enacted*, That such of the provisions of the Act of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight, as are contrary to the provisions of this Act, shall be and are hereby repealed. Repeal.

IX. *And be it enacted*, That the provisions of this Act shall apply to all school affairs, and to all persons referred to in the provisions of the said Act for the current year. Application.

II. Additions to, and Corrections made in, the Text of the Foregoing Draft of the Supplementary School Bill of 1853.

Note. The following additions and corrections were made to the foregoing Draft of Bill, on its transmission to the Honourable W. B. Richards, Attorney General for Upper Canada, for the consideration of Parliament at its adjourned Session in February, 1853.

First Section of Draft of Bill; Provided, always, that the Chairman of each such Board of School Trustees shall be elected by the Trustees from their own number, and shall have a right to vote on all occasions and also a second, or casting, vote, in case of an equality of votes. Chairman.

The Seventh Section of the foregoing Draft of Bill was changed to the Second Section, (Page 133), and altered as follows;—

And be it enacted, That, in any Village in Upper Canada, which shall become incorporated according to law, an election of a Board of School Trustees for such Village shall take place at the time specified in the Second Section of the said Act of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight; Trustee Election.

1st Proviso. First Election. Provided, always, That the first election of such Board of School Trustees, shall be called by the Returning Officer appointed to hold the first Municipal election in such Village, or in case of his neglecting to do so for one month, by any two Freeholders in such Village, on giving six days notice, in at least three public places in such Village;

2nd Proviso. Elections confirmed. Provided, also, That, all elections of School Trustees that have taken place in Villages, and Towns with Municipalities only, which have been incorporated since One Thousand Eight hundred and Fifty, shall be, and are hereby, confirmed; and the acts of Boards of School Trustees, so elected, in such Villages and Towns, are hereby made as valid as if such Board had been elected for Villages incorporated before One Thousand Eight-hundred and Fifty; and the Twenty-fifth and Twenty-sixth Sections of said Act of 1850 shall apply to all such Boards of School Trustees:

3rd Proviso. Three instead of Two. Provided, likewise, That, in the words "Two years" which occur in the Twenty-fifth Section of said Act of 1850, the word "Three" shall be substituted for the word "Two," and shall be construed to have meant "Three."

Verified Report. *Fifth Section in the Supplementary School Act as passed*: V. *And be it enacted*, That the Trustees of each School Section shall, on, or before, the Thirtieth day of June and the Thirty-first day of December in each year, transmit, (verified by the oath of their Teacher before a Magistrate), to their Local Superintendent the average attendance of pupils in the School, or Schools, under their charge, during the six months then immediately preceding; nor shall any School Section be entitled to the apportionment from the School Fund for said six months, the Trustees and Teacher of which shall neglect to transmit a statement of such average attendance of pupils in their School, or Schools.

(NOTE.—The Sixth Section is the same as that which was passed.)

Free Schools. *Note. The following Free School Section was not adopted by the House of Assembly*:—XV. *And be it enacted*, That the Municipal Council of each County, or union of Counties, shall have authority, whenever it shall judge it expedient, to declare that the Common Schools of such County, or union of Counties, or of any Township in said County, or union of Counties, shall be Free to all the youth of school age in such County, union of Counties, or Township, according to law, and shall thereafter be supported as such.

(NOTE.—The other Sections adopted were added afterwards.)

nterpretation. *Part of Section XXVIII in the Act as passed*: *And be it enacted*, That for all the purposes of reference to the said Act of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight, it shall be sufficient to designate: "The Upper Canada School Act of 1850"; and, in referring to this Act, it shall be sufficient to use the expression: "The Upper Canada Supplementary School Act of 1853." (See page 140.)

III. FINANCIAL SECTIONS ADDED TO THE DRAFT OF THE SUPPLEMENTARY SCHOOL ACT OF 1853.

After consultation with the Honourable Inspector General Hincks the Chief Superintendent prepared the following Financial Section,—to be numbered XXIII,—and to be added to the Draft of Supplementary School Act of 1853. These financial additions to the Bill were accompanied with the following Explanatory Statement on the subject by the Chief Superintendent of Education: (See page 139.)

[*Proposed XXIII Section*:] This Section is framed upon the assumption that an additional sum of Six thousand pounds, (£6,000,) per annum will be available to Upper Canada for Common School purposes, namely, Eight hundred and Thirty-Seven pounds, (£837,) from a division of the Fifty Thousand pounds, (£50,000,) grant to Common Schools in Upper and Lower Canada, according to the last Census, and Five Thousand, One hundred and Sixty-eight pounds, (£5,168,) of the proposed additional Grant of Ten Thousand pounds, (£10,000), by the Bill passed in June, 1853: 16th Victoria, Chapter 185.

1. The only remark I need make on the first clause of this Section is that, from what I have seen, during the last three months, of poverty and destitution among the sparse settlements in the new Townships of this Province, I think some special additional aid should be extended to them; and the mode which I propose is the best that I can devise,—making them special cases, to be submitted and considered, as such, and not to grant special aid in any instance, either in amount, or as to duration, beyond a strong necessity, nor without developing local effort.

2. In regard to the Second clause of this Twenty-third Section, I remark that the gran for the support of the New York State Normal School at Albany is Ten Thousand dollars,

($10,000,) per annum ; while the Grant, in support of our Normal School, has been but Six Thousand dollars, ($6,000,) per annum. This clause will increase it to Eight Thousand dollars, ($8,000,)or perhaps a little more for a year, or two And we have Grounds to cultivate, for purposes of instruction, which they have not, and a Model School, of Four hundred children and upwards, whereas theirs is restricted to Ninety children. The conditions and engagements, under which Teachers are admitted to both Normal Schools are the same, but, in addition to our Grounds and Model School, our mode of training is more practical and more Agricultural. The number of the students at the New York Normal School at Albany, is reported to be 240 ; ours is 140, though we have had upwards of 160 applications for admission. We will, probably, have as large an increase next Normal School Session, as we have had this Session,—upwards of 60.

As to the *Journal of Education for Upper Canada*, the edition now issued is upwards of 4,000 copies. I hope not to expend on it more than £350, or £375, this year, unless I shall see some School House, or other, engravings that I might think it useful to procure. The sum that I have proposed, as the maximum, will enable me to meet any increase in the number of copies required for Schools and the School Offices. I will, of course, account annually for the expenditure of this, as well as for all other Grants made, or expended, through this Department.

Object and Great Importance of Educational Museums.

3. The third clause of the proposed Twenty-third Section is too detailed to need explanation, and the importance of its objects appear to me too obvious to need argument to recommend them. No attempt, such as is here proposed, has yet been made in Upper Canada ; but I think it is high time something of this kind should be commenced. I observe that Grants are being made in several of the neighbouring United States for the establishment of Museums, to illustrate their State resources and pursuits, and to promote Mechanical and Agricultural improvements, as well as to create a taste and encourage the study of the different branches of Natural History. What I contemplate, at least as far as relates to the Museum, is to be as Canadian as possible, and it is thus intended to make the people of Upper Canada, acquainted with what is curious and beautiful, ingenious and valuable in their own Country, and to aid them in turning it to account. When the Educational Library and Museum are commenced, I have no doubt but that we shall get many interesting and valuable gratuitous contributions to them.

4 I am persuaded that it only requires to exhibit to practical men examples of improvements and useful Collections to induce the increase and multiplication of them to an indefinite extent. For example, last year I purchased at Albany, Hartford, (Connecticut,) and Boston Models of School Desks, Chairs, etcetera--all costing about One Hundred dollars, (£25). The Trustees of various Schools have seen them, and have got cheap imitations of them made by their own Mechanics for their Schools. We got a firm in Toronto, (Messieurs Jacques and Hay), to make Desks, Chairs, etcetera, after some of the Models I had procured, (but improving upon their construction,) for the Normal and Model Schools, the result of which is the adoption of the same kind of School Furniture for the School Houses in Toronto, Hamilton, St. Catharines; so that a Member of the Firm told me lately that they were not able to execute all the orders they had received for this kind of School Furniture, without building an addition to their Premises. I wish the Collections in the Museum to tell in like manner upon the feelings of the people and the advancement of the Country in various respects. I find that we shall be able to procure Shrubs and Plants to the number of several thousand for the Normal School Grounds, for less than One Hundred pounds, (£100,) and, after we get that part of the Grounds, devoted to such purposes, planted.

5. I have no doubt but persons in different parts of the Province visiting the place will be disposed to add similar appendages, to School Premises in their own neighbourhoods, when they see that all the Ornamental Trees and Plants for their purpose would be obtained for from five to ten pounds. In every part of this Establishment, utility has been the leading object, even in what might be, at first, regarded as ornament. Since I was in Quebec, two, or three, very intelligent Americans have visited these Buildings ; and, after having passed through them, and learned the design of every part, as well as of the surrounding Grounds, said, that they never saw, or conceived, anything equal to this, and almost wished they were young again, that they might have such varied facilities of learning as were here provided.

6. I propose that the Library and Museum, (especially the latter,) shall be each an instrument of practical instruction, as well as of agreeable entertainment to all Teachers-in-training, and to all Visitors. The sum I name will, of course, enable me to commence and proceed on a small scale ; but that is the way I have commenced, in regard to every Branch of the Department. If I succeed, and evince both the utility and economy of the measure, all parties will, hereafter, be ready to aid in promoting the same object on a larger scale.

7. My great object is to make the Establishment supply, in part, the place of an Agricultural College* to the Province, as well as a place for the training of Teachers, and the Offices of the Department of Public Instruction. I hope that when the Seat of Government shall be again in Toronto, the Museum will be made the depository of the Models of Inventions patented by the Government.

The fourth clause of the Twenty third Section contemplates the commencement of a Fund, or provision, for Superannuated, or worn-out, School Masters,—a provision which, I think is an act of justice, (as far as it goes), to men hitherto so poorly paid, and which will, I am confident, exert a most salutary influence in securing a continuance in the profession of many of the most able Teachers. The proposition has been most cordially approved of by every person to whom I have mentioned it. The provisos in the clause will prevent any kind of abuse upon the Fund, and will show, that the Grant is designed as an encouragement and help to Teachers to make some provision for their support in old age.

TORONTO, 8th April, 1853. EGERTON RYERSON.

The following is a draft to the Financial Section proposed by the Chief Superintendent of Education, to be added to the Supplementary School Bill of 1853 : It was adopted in its entirety, and is the Twenty-third Section of the Supplementary Act, as passed by the Legislature on the 14th of June, 1853. (Page 139.)

XXIII. *And be it enacted*, That whatever additional sum, or sums, of money which may be payable to Upper Canada out of the Legislative School Grants, or which may be granted during the present Session of the Legislature for Common School purposes in Upper Canada, shall be expended in the following manner, videlicet :—

£4,000 added to School Fund.

Firstly, a sum of not less than Four Thousand pounds, (£4,000,) shall be apportioned and expended for the support of Common Schools, as provided in the Thirty-fifth Section of the Upper Canada School Act of 1850 :

Provided, always, That not more than Five Hundred pounds, (£500,) of said sum may be expended in special aid of Common Schools in new and poor Townships in Upper Canada.

£1,000 for Normal School and *Journal of Education*.

Secondly, A sum not to exceed One Thousand pounds, (£1,000), per annum shall be expended in further support of the Normal and Model Schools for Upper Canada, and in supplying a copy of the *Journal of Education* to each School Corporation and Local Superintendent of Schools in Upper Canada :

Provided, always, That not more than Four Hundred and Fifty pounds, (£450,) of said sum shall be expended in the circulation of the *Journal of Education* and the balance of said sum shall be expended as provided for in the Thirty-eighth Section of the Upper Canada School Act of 1850.

3rd. £500 for museum.

Thirdly, A sum not exceeding Five Hundred pounds, (£500,) per annum may be expended by the Chief Superintendent of Education in the purchase, from time to time, of Books, Publications, Models and Objects, suitable for a Canadian Library and Museum, and to consist of Books, Publications, and Objects relating to Education and other departments of Science and Literature, and Specimens, Models and Objects, illustrating the Physical Resources and Artificial Productions of Canada,—especially in reference to Mineralogy, Geology, Agriculture and Manufactures.

4th. £500 for worn-out Teachers.

Fourthly, a sum not to exceed Five Hundred pounds, (£500,) per annum shall be applied towards forming a Fund for the support of Superannuated, or worn-out, Common School Teachers in Upper Canada, under such Regulations as may be adopted, from time to time, by the Council of Public Instruction, and approved of by the Governor-in-Council.

1st Proviso.

Provided, always, That no Teacher shall be entitled to share in said Fund, who shall not contribute at least at the rate of One pound per annum for the period of his teaching School, and receiving aid from said Fund, and who shall not furnish satisfactory proof to the Council of Public Instruction of inability, from age, or loss of health, in teaching, to pursue the profession any longer.

2nd Proviso.

Provided, also, That no allowance to any such Superannuated, or worn-out, Teacher shall exceed the rate of One pound, ten shillings for each year that such Teacher shall have taught a Common School in Upper Canada.

NOTE.—The following financial Section was afterwards suggested to the Honourable the Inspector-General, but it was not adopted.

*The Agricultural College of Ontario at Guelph was established by the Sandfield Macdonald Government in 1871, and many of the interesting Exhibits in the Educational Museum were sent to it in 1877 by Minister Crooks.

XXIV. It shall be lawful for the Chief Superintendent of Education to assist Mechanics Institutes and all other Institutions receiving Legislative Aid, to establish and maintain Libraries and procure maps and school apparatus, upon the same terms as such things are now supplied by the Education Department to Township and School Municipalities, in proportion to the sums which they have transmitted to him, or may transmit for such purposes ; and in the same manner to establish prizes of books and other publications in public Schools and other Institutions aided by the Legislature. Aid to Mechanics Institutes.

[NOTE. It has long been the policy of the Legislature to aid Mechanics Institutes and Educational Institutions in the way proposed in this Section. As early as 1806 the Parliament of Upper Canada granted £400, to procure instruments for illustrating Natural Philosophy, and the instruments procured were placed by law in the hands of a "person employed in the education of youth." Section 46, George III, Chapter 3. Note.

[In 1835, £200 were granted to the Toronto Mechanics Institute for the purchase of philosophical instruments. Section 5, William IV. Chapter 38.

[In the same year £100 were granted to the Kingston Mechanics Institute for the purchase of Books and Instruments. Section 5, William IV, Chapter 40.

[Until very lately Mechanics Institutes were aided indiscriminately by the Legislature, and when the Grants were discontinued, nothing was substituted, even in the way of Supplementary Aid. The above Section proposes merely to aid those which help themselves, and which are alive to the objects for which they were established.]

IV. CORRESPONDENCE IN REGARD TO SEPARATE SCHOOLS, 1852, 1853.

I. LETTER FROM THE HONOURABLE THE INSPECTOR-GENERAL TO THE CHIEF SUPERINTENDENT.

(*Confidential*). The Roman Catholics are preparing a Bill, which will be pressed. It is clear that we must do something. Better abolish the Nineteenth Section of the School Act of 1850 at once than render it a mockery, when there are Free Schools.

Again ; it would not do to share the [School] tax [with Separate Schools] when Free Schools are established. We must decide on something ; and I think what we are disposed to do is,—where Free Schools are established,—[to let] a separate column be placed in the Tax Roll and have the parties state whether they desire their share of the Tax [to be] given for such Schools. They might participate proportionately on the Government Grant.

Where there are Free Schools, the Assessors will probably be Protestants. There is no danger of fraud. The people will be able to act independently and indirectly, and will, perhaps, support the Free Schools, if fairly conducted. The plan is worth trying. If we refuse this, we will probably get worse. Write to me on this point.*

QUEBEC, 7th August, 1852. FRANCIS HINCKS.

NOTE. This Draft of a Bill, prepared by Roman Catholic Representatives, to which Mr. Hincks here refers, having come under the notice of Mr. Attorney-General Richards, he telegraphed to the Chief Superintendent to know how he should deal with a certain clause in it. To his request the Chief Superintendent replied by telegraph, as follows :—

Separate School Clause will destroy Public School System. If Separate Schools share in the Municipal tax, their Teachers must be examined by Municipal Boards of Examiners. Will see you next week.

TORONTO, 30th October, 1852. EGERTON RYERSON.

In November, 1852, Doctor Ryerson went to Quebec to confer with the Government in regard to the Supplementary School Bill, (then in the hands of the Honourable W. B. Richards, Attorney-General,) and in regard to other matters. In a private Letter to me, written while there, on the 11th of November, 1852, he said :—

The School Bill, (except the Separate School Fourth Section, and the Sections prepared by Mr. Joseph C. Morrison,) was introduced into the House of Assembly on Saturday night, and the Attorney-General wishes me to stay until it is disposed of. . . . In redrafting the Separate School Fourth Section, the Attorney-General thought that he was carrying my views

* The Chief Superintendent may have written to Mr. Hincks, but no copy of the Letter is available.

into effect. The Honourable John Ross, Solicitor-General, told him that he, (Mr. Ross,) was sure that the Section did not embrace my views. They both now agree with me; and I am to revise the Bill, (as so agreed upon,) immediately after my return to Toronto."

QUEBEC, 11th of November, 1852. EGERTON RYERSON.

The Bill, when revised and recast by Doctor Ryerson, was sent to Attorney-General Richards; and Mr. Richards, in reply, said:—

Private.—Herewith you have a copy of the School Bill, as I think we can introduce it. I have consulted with our friends as to the Fourth Section. We have altered it, in some respects, from the Draft you sent; but I believe I have retained those portions which embody the principle to which we had all assented. I do not think that the House would go with us in your (new XV.) Section on Free Schools in the Draft, so I have omitted it.

QUEBEC, 14th February, 1853. W. B. RICHARDS.

After the Bill had been introduced into the Legislature, the friends of Separate Schools pressed the Government still further to give coherence and stability to their System of Separate Schools, by authorizing the establishment of Boards of Separate School Trustees in Cities and Towns. The Attorney-General then sent the following Telegram on the subject to the Chief Superintendent of Education:—

Is there any objection to allow Trustees of Separate Schools in Cities and Towns to form a General Board to manage their own Schools. If not, telegraph at once; if there are objections, write at length, immediately.

QUEBEC, 20th of April, 1853. W. B. RICHARDS.

Doctor Ryerson telegraphed a reply as follows:—

Insuperable objection to such a Board. Will write to-morrow.

TORONTO, 20th April, 1853, EGERTON RYERSON.

SEPARATE SCHOOL MEMORANDUM TO ATTORNEY-GENERAL RICHARDS.

The following is a copy of the Memorandum sent to the Honourable Attorney-General Richards on the proposition to establish City and Town Boards of Trustees for Separate Schools:—

In respect to the proposition to establish a General Board of Trustees for Separate, or Sectarian, Schools in each City and Town in Upper Canada, it involves the introduction of principles that have never been admitted into our School System, which would change its character, and possibly subvert it altogether.

1. It is a new demand. It was never before wanted, much less admitted. The Roman Catholic Bishop of Toronto, (Doctor de Charbonnel) and the Roman Catholic Vicar General Macdonell of Kingston, and all their supporters expressed themselves fully satisfied in 1851 with the number and kind of Separate Schools which the short Bill of that year, (in connection with the Act of 1850,) enabled them to establish. Why this new demand, if not to avoid conditions which have been heretofore required, in regard to the establishment and existence of Separate Schools.

2. For it has been a principle maintained in every successive School Law of Upper Canada, that there should be no Roman Catholic, or Protestant, Separate Schools in any School division, or Ward, of a City, or Town, except where the Teacher was of a different Religious Faith, from the applicants. But, if there be a City, or Town, Board of Sectarian School Trustees, the Board of Common School Trustees may employ ever so many Teachers of the Ward Schools of the same Faith of the advocates of Sectarian Schools, yet it will not prevent the establishment and support, out of the Public Revenue, of Sectarian Schools in those very Wards. This is placing Sectarian Schools upon a totally different foundation from that on which they have always stood; it is the introduction of a System of Sectarian Schools, without restriction, and almost without conditions, as it is proposed to relieve the Teachers employed in them from all examinations and Certificates of Qualifications by the Municipal Public Boards of Examiners, as required of Teachers employed in Public School.

3. If there are City and Town Boards of Sectarian School Trustees, they will claim the right of appointing their own Local Superintendents; and thus, their Schools will be shut up

against all inspection, except that which they themselves may please to require, or permit, and against all means, on the part of the Public, of knowing anything as to the character of such Schools, etcetera, whether the statistical returns on which they claim aid from the Public Revenue are correct, or exaggerated.

4. If a City, or Town, Board of Sectarian School Trustees be created, to establish as many Sectarian Schools as they please, and without requiring any public Certificates of Qualification for the Teachers employed, such Board can recognize the Teacher, or Teachers, of every Private School kept by persons of their Religious Persuasion, and return the children taught by them, according to any returns which may be made of their attendance, and claim grants from the Public Revenue accordingly, and there is no check, or means of detection provided.

Thus, such a Board in Toronto might recognize and claim Public Aid for every child taught in Convents and by other Private Teachers of the same Religious Persuasion. But there is no means, on the other hand, by which the Schools taught by Protestant Ladies and other private individual Protestants, could be recognized, and the children in them returned to secure grants from the Public Revenue.

5. A large portion of the public mind is chafed at the perpetuation of, and provision, for Separate Schools in any form ; but I have endeavoured, (during my late provincial Tour in the Counties,)* to render this provision tolerable, by stating that no new principle would be introduced, but only the modified application of a principle already recognized and acted upon under successive Acts of Parliament. I should deplore the revulsion, which I fear will take place, in the public mind, should a new and unfair provision be made, and fresh facilities be provided for the multiplication and perpetuation of Sectarian Common Schools,—the symbols and instruments of growing mischief in the Country, from the proceedings adopted and the spirit inculcated in regard to them, during the last year.

6. If provision be made in each City and Town to incorporate into one Board, one Religious Persuasion, exempting it from the payment of School Rates, and authorizing it to tax and collect from its own members, to any amount for school purposes, the application of any other Religious Persuasions, in any such City, or Town, cannot be consistently, or fairly, resisted ; and there would be strong inducements to the principal Protestant Persuasions to apply, unitedly and earnestly, for that privilege, as the union of their strength and resources in establishing one, or two, large Schools in each City, or Town, under their own management, would not involve the payment of a heavier tax than they now pay for the support of Public Schools, and with Schools, thus established, they could easily connect higher Seminaries, or Departments of Instruction. The effect of all this would be to destroy the System of Public Schools in Cities and Towns, and ultimately, perhaps, in Villages and Townships, and to leave all the poorer portion of the population, and that portion of it connected with minor Religious Persuasions, without any adequate and certain means of education.

7. I think the safest and most defensible ground to take is, a firm refusal to sanction any measure to provide, by law, increased facilities for the multiplication and perpetuation of Sectarian Schools,—a readiness to remedy any injustice, or hardship, which the operations of the existing law may be conceived to involve, [has always been shown] but [I would] do nothing more.

TORONTO, 21st April, 1853. EGERTON RYERSON.

V. DRAFT OF THE GRAMMAR SCHOOL BILL OF 1850, AS ALTERED IN 1853 BY THE CHIEF SUPERINTENDENT.

The Grammar School Act of 1853 is substantially the same as the Draft of that Act, which was laid before the House of Assembly in 1850, and printed on pages 21-23 of the Ninth Volume of this History. It was revised, and its scope enlarged, by the Chief Superintendent of Education in 1853 and, in that revised form, it was passed by both Houses of the Legislature without amendment.

* As to the nature of the conferences with various parties at the County School Conventions of 1852-1853, to which Doctor Ryerson here refers, he thus explains his proceedings at them, in his Special Report, laid before the Legislature in 1858 :—" In the winter of 1852 and 1853, I made an official tour of Upper Canada, and held, by appointment, a Public School Meeting in each County,—having previously prepared the first Draft of the Supplementary School Act of 1853. On the provisions of that Draft of Bill, I consulted the most intelligent and experienced men in School matters in the Several Counties, and especially on the clauses of the Fourth Section of the Act. I think I am warranted in saying, that those intelligent men of all parties, whom I consulted, without reserve, unanimously agreed to those clauses of the Separate School Section ; but were also strongly of the opinion, with myself, that no further concession in that direction should be made, under any circumstances, or could be made, without endangering the whole National School System, and violating indvidual and municipal rights." . . .

Particulars of the results of these County Conferences will be given in another part of this Volume.

CHAPTER XIV.

EDUCATIONAL RETURNS LAID BEFORE THE HOUSE OF ASSEMBLY, IN 1852.

I. RETURN OF CORRESPONDENCE RELATING TO SEPARATE SCHOOLS.

A Brief Historical Sketch of Separate School Legislation in Upper Canada.

As the "causes and consequences" of the Separate School Agitation, which took definite "form and shape" in 1850, are but imperfectly known, and are little understood at the present day, I propose in this Chapter to give a brief sketch of the History of the Question.

I do so chiefly for the reason, that the "Return of Correspondence" on the subject, which was made to the House of Assembly, on its Order, in 1852, is quite too voluminous and desultory to be inserted in this Volume.* I shall, therefore, deal only with the historical aspects of the question in this Sketch.

The Provinces of Upper and Lower Canada were united under one Legislature in 1840. Up to that time Separate Schools had no existence, except, probably, in the form of Private Seminaries, or in Convent Schools.

During the first Session of the Parliament of United Canada, in 1841, a vigorous effort was made to induce the Government and Legislature of that day to provide, in the Common School Act, for the use of the Bible as a Class, or Text, Book in the Schools of the Province.

The then Governor-General, Lord Sydenham, who strongly recommended to the Legislature that: "due provision be made for the Education of the People," —which he declared to be "one of the first duties of the State," had evidently misgivings as to the unanimity of the Legislature on the subject. He, therefore, counselled the Members of both Houses, in his opening Speech from the Throne, that:—

> If it should be found impossible so to reconcile conflicting opinions so as to obtain a Measure which may meet with the approbation of all, . . . steps may, at least, be taken by which an advance to a more perfect system may be made.

Nor were the apprehensions of the Governor-General on this subject of dealing with the subject of popular education groundless. It was well known that, in the newly-elected House of Assembly, there were two active opposing educational forces. The one was desirous of giving, as they expressed it, a decidedly Christian and Scriptural character to the proposed Educational Legislation. With this object in view, they addressed strongly expressed Petitions to both Houses of the Legislature—to the number of forty—praying that the Bible, in its entirety, should be definitely prescribed as a Class, or Text, Book

* Those who wish to consult the Letters in this "Return" of 1852 will find them in the Appendix to the Journals of the House of Assembly for the Session of 1852, 53. These Letters were also published separately in pamphlet form, by Order of the House of Assembly.

in the Common Schools, about to be established, and liberally endowed, in the United Provinces of Canada. One section of this objecting force, representing the Church of England, petitioned the Legislature that children of that Church should be educated by that Church, with the aid of Public Grants and School Assessments. The other section of this opposing force contented itself with objecting to the principle of the proposed Common School Bill, and desiring that the Bill " should not become law until the opinion of Roman Catholics and that of other Religious Denominations be known."

This twofold question, thus raised in the first Legislature of Upper Canada, was felt at the time to present an almost unsurmountable difficulty in dealing satisfactorily with the subject of School Legislation. It having been raised there, when the establishment of a general and comprehensive System of Elementary Education was determined upon by the Government, need not have been a matter of surprise. It was inevitable, considering the past educational history of each of the Provinces, now united, for the first time, under one Government and Legislature.

The Separate School Question in Upper Canada, 1841-1843.

In regard to Upper Canada, it was generally known at the time, that the Bible was in general use in the Schools of the Province, (although under no specific authority,) chiefly with a view to having verses from it being learned off, or memorized, by the pupils attending the Schools.

From the very first, public sentiment in Upper Canada was strongly in favour of public education being " based on Christian principles," as it was expressed, more or less distinctly, in the successive Charters of King's, Victoria and Queen's Colleges. This was the special plea of those who, more than fifty years ago, advocated the secularization of the Clergy Reserves to purely educational purposes. Some even favoured the diversion of this " Church Property" to educational purposes, on the ground that the education, which it would promote, would be so entirely " based upon Christian principles," that the so-called " secularization" would be the means—by reason of the wide diffusion of the Clergy Reserve Moneys—" of promoting the Christian Education of the whole people."

The first effort which was made to provide a System of Elementary Education for the United Province took shape in 1841, at the first Session of the Legislature of that year.* The School Bill of that year was introduced into a mixed Legislative Body, composed of Members from both Upper and Lower Canada elected to act together for the first time, and, in this case, regarding a matter, on which the Representatives from each section of the United Province

* The circumstances under which the First School Bill was introduced into the House of Assembly of the United Provinces, in July 1841 are fully stated on pages 14-20 of the Fourth Volume of this Documentary History.

held very diverse views, and, in the main, very ill-defined ones. The result may easily be imagined. A dead-lock ensued ; and this dead-lock was only ended by the Government abrogating its functions, as defined by itself at the beginning of the Session, and submitting its own Measure—carefully prepared, as its framer, had explained—to a mixed General Committee of the House, not chosen geographically, or in proportion to the Members representing each section of the Province, but at haphazard, and by giving to Lower Canada about two-thirds of the Members of the Committee, and to Upper Canada only a little over one-third. The number of Members on the Committee, therefore, stood as follows : Lower Canada, fifteen, and Upper Canada, eight : or twenty-three in all.

The result of such a proceeding may have been easily anticipated by the more thoughtful men in the Legislature ; but, if so, it could scarcely have been provided for by them. No Committee, under strong pressure from without, as was this one, could have given that judicious and careful consideration to the subject, which was necessary in dealing with so difficult and delicate a matter as this was. The time was too short, and the immediate object to be gained was too general and undefined to enable the Committee to lay down a safe and practical rule by which Separate Schools, if necessary, could be established. As it was, it recommended to the House that any number of persons, of either faith, by merely dissenting " from the Regulations, Arrangements and Proceedings of the Common School Commissioners," could establish a Separate School.

It is a matter of fact, that up to 1841, no Religious Body, or other person, mooted, much less advocated, the question of the necessity, or desirability, of Separate Schools as part of a General System of Education. Their establishment was, as I have shown, due to peculiar circumstances, and as the result of a dead-lock in the Legislature, and of an effort, in consequence thereof, at compromise and conciliation, under strong pressure from various opposing influences

It was the introduction of this principle of Separate Schools in the legislation of 1841 which gave rise to that prolonged and bitter controversy, and produced that unhappy discord which prevailed,—especially from 1850 to 1863.

Upper Canada Separate School Legislation in 1841 and 1843.

In reply to a Letter which I addressed to the late Sir Francis Hincks, (who was a Member in 1841 of the first Parliament of United Canada), asking him why it was that the Government referred the School Bill to a General Committee of the House of Assembly, instead of dealing with it as a Government Measure (which it was), he wrote as follows, under date of Montreal, 15th August, 1884 :—

" The School Bill was, as you state, introduced into the Legislature by the Honourable Solicitor-General Day, (late Honourable Mr. Justice Day,) without any clause in it relating to Separate Schools. Petitions were presented to the House, praying that the Bible should be made a Class-book in the Schools ; and I imagine that the Government, to get rid of the responsibility of dealing with a very difficult question, proposed and carried a reference of the

Bill and the Petitions to a Select Committee of all parties in the House. That Committee wa about twenty-one in number.*

Having also asked Sir Francis Hincks if there had been, in 1841, any understanding among Lower Canada Members of the House of Assembly that, by the treaty of Capitulation of Quebec, Lower Canada Roman Catholics could demand Schools of their own Faith, as a right, he replied as follows:—

I can assure you that no such question was raised as that of the right to Separate Schools, on the ground of the stipulations of the old Treaty of Capitulation.

I was entirely opposed myself to the Bible being made a Class-book in the Schools.

It was soon found that the General Education Law, framed in 1841 for the whole Province, was not acceptable to Upper Canada, or suitable to its needs, or condition. Nothing, however, was done in regard to education during the Legislative Session of 1842. But, in the next Session, the Honourable Francis Hincks having, since 1841, become a Member of the Government, as Inspector General, introduced a Common School Bill into the Legislature in 1843. In that Bill, no part of the Separate School Legislation of 1841 was included,—it being considered, at the time, objectionable in principle, and unjust and unwise in its financial detail. The strongest objection which was felt at the time to the law of 1841, so far as it related to Separate Schools, was to the element of discord in neighbourhoods which it authorized and practically sanctioned, by the general permission which it gave to those, who might express dissent to the official Regulations prescribed for the Government of Common Schools, to withdraw their children from the School, and set up a rival one in the same place.

The Upper Canada School Act of 1843 provided that the Course of Study and Text-Books agreed upon by the Trustees were subject to the approval of the Local Superintendent.

Provision was first made in this Act for the protection of those children whose parents, or guardians, objected to have them "read or study in, or from any religious book, or join in any exercise of devotion or religion."

The School Act of 1843 provided, in the following words, for the establishment of Separate Schools in Upper Canada: "that in all cases wherein the Teacher of a School shall happen to be a Roman Catholic, the Protestant inhabitants shall be entitled to have a School with a Teacher of their own Religious Persuasion"—and vice versa.

The Honourable Francis Hincks, in a Speech which he delivered in 1843 thus explained the reason why the Common School Act of 1841 was superseded by an Act introduced by himself in 1843, and, in the case of this Province, it was confined to Upper Canada alone, He said:—

No one is more sensible than I am of the defects of the late School Law, so great, indeed were they, that it has been found impossible to work it. The Common School Law

* The only reference to this matter which Sir Francis Hincks gives in the "Reminiscences of His Public Life" is the following:—"The Bill for establishing Common Schools, and for granting a liberal sum annually for their maintenance, was introduced by Mr. Solicitor Day, and was carried without opposition. It is worthy of notice that, after the introduction of the School Bill, a number of Petitions were presented, praying that the Bible should be adopted as a School Book. This led to the reference of the Bill to a large Select Committee, which recommended the introduction of the Separate School clause, which was not in the Bill as originally introduced." *"Reminiscences," Pages 68 and 69.*

was not framed by any Ministry, responsible, or otherwise; it was hastily put together in a Select Committee of the House of Assembly, consisting of upwards of twenty Members; without that deliberation and care which such a Measure ought to have and received.

Separate School Correspondence.—Return to the Legislature.

I. Letter from the Chief Superintendent of Education to the Provincial Secretary.

On the 9th of September, 1852, a Communication from the Assistant Provincial Secretary was sent, by Command of the Governor General, to the Chief Superintendent, enclosing the copy of an Order of the House of Assembly, directing that "Copies of all Correspondence, which may have passed between the Roman Catholic Bishop of Toronto and the Superintendent of Education for Upper Canada, on the Subject of Separate Schools," be laid before the House. He replied as follows:

I have the honour to acknowledge the receipt of your Letter of the 9th instant, requesting me, by direction of the Governor General, to furnish you, at my earliest convenience, for the information of the Legislature, with a copy of all the Correspondence which has passed between His Lordship the Roman Catholic Bishop of Toronto and myself on the subject of Separate Common Schools.

On seeing the telegraphic report of the proceedings of the Legislative Assembly, applying for copies of that Correspondence, I took the requisite steps to get them prepared. I have the honour herewith to transmit them with an Appendix, containing copies of Documents and Proceedings referred to in that Correspondence, and without which some parts of the Correspondence itself cannot be fully understood, and as I suppose the object of the Legislative Assembly is to ascertain the nature and position of the Separate Common School question in Upper Canada.

Toronto, 14th September, 1852. Egerton Ryerson.

Letters IV and V in the Series of the Separate School Correspondence of 1852.

Arraignment of the School System of Upper Canada by Bishop de Charbonnel, and its Defence by Doctor Ryerson.

Of the many Letters and Documents included in this Return, asked for by the House of Assembly, there are only two of these Letters in the Return that I propose to insert in this Chapter.

The first of these Letters was written by Bishop de Charbonnel on the 24th of March, 1852. It differs from all of the other Letters written by the Bishop on this Separate School matter in this, that, instead of dealing in this Letter, as in others, solely with specific cases of complaint, in regard to individuals, or of alleged hardship in regard to a School, he formally attacks, in an elaborate Letter, the School System and its Administration as a whole. (See Letter Number IV in the Schedule).

The reply to this arraignment of the School System by Doctor de Charbonnel was not written by Doctor Ryerson for a month after its receipt,—that is, until the 24th of April, 1852;—owing to his absence, and to a desire to do so in a calm and dispassionate manner.

Practically these two Letters, written under peculiar circumstances, may fairly be regarded as epitomising in themselves the whole matter in dispute between the parties concerned and the Department, in regard to Separate Schools. For this reason, therefore, I insert only these two, out of the many, Letters included in the Return. The remaining ones can be seen in the Appendices to the Journals of the House of Assembly for 1852, 53, or in the Return, as printed in pamphlet form separately, by Order of the House of Assembly.

SCHEDULE OF LETTERS AND EXPLANATORY DOCUMENTS ACCOMPANYING THE CORRESPONDENCE IN THIS RETURN.

The following is the Schedule of the Eleven Letters which passed between the Roman Catholic Bishop of Toronto, and the Chief Superintendent of Education for Upper Canada, on the subject of Separate Common Schools in Upper Canada in 1852, and also a list of thirty-six accompanying explanatory Letters and Documents. The Schedule is as follows :—

I. Letter from the Roman Catholic Bishop of Toronto, to the Chief Superintendent of Education for Upper Canada, dated Irishtown, (near Chatham, Upper Canada,) February 20th, 1852, soliciting attention to the case of the Roman Catholic Separate School in Chatham.

II. Letter from the Roman Catholic Bishop of Toronto to the Chief Superintendent of Education, dated London, Upper Canada, March 7th, 1852, containing additional remarks on the case of the Roman Catholic Separate School at Chatham.

III. Letter from the Chief Superintendent of Education, Toronto, dated March 13th, 1852, in reply to the foregoing.

ARRAIGNMENT OF THE SCHOOL SYSTEM BY BISHOP DE CHARBONNEL.

Instead of publishing the whole of the Letters in this Separate School Return, I have inserted only two Letters of the Series, Numbers IV. and V., as they practically embody in themselves the gist of the matters in dispute, in regard to Separate Schools in 1850-1852. Letter Number IV. embodies Doctor de Charbonnel's complaint against the spirit and administration of the School Law of Upper Canada; while Letter Number V. contains an elaborate defense of this Law and its Administration by the Chief Superintendent of Education. Copies of the other Letters of the Series, and of the appended Documents, illustrative of this Separate School controversy, will be found in the Appendices to the Journals of the House of Assembly for 1852-1853.

IV. LETTER FROM THE ROMAN CATHOLIC BISHOP OF TORONTO TO THE CHIEF SUPERINTENDEFT OF EDUCATION, DATED AT OAKVILLE, MARCH 24TH, 1852, EXPRESSING HIS VIEWS UPON THE OPERATIONS OF THE SCHOOL LAW AND SYSTEM OF PUBLIC ELEMENTARY INSTRUCTION IN UPPER CANADA.

In answer to my preceding Letters, you do not say a single word about my Two first Complaints, namely ;—the Coloured people better treated in Chatham than Catholics, and the ridiculous offer of Four pounds ten shillings, (£4. 10. 0.) out of about Three hundred pounds, (£300,) taxes raised,—for the Catholic Separate School of forty six children in the same Town.

NOT HONOURABLE TO USE DEFECTIVE WORKS IN SCHOOLS,—SUCH AS GOLDSMITH'S HISTORY.

2. With regard to my Third Complaint, you grant on one hand, that Goldsmith's History is very defective, therefore, it does not do honour to the Teachers who make use of it, and

of other Books of the same defectiveness, to my knowledge, nor to the School Visitors who tolerate such Books in Public Schools, nor to the School System, under which such very defective Books may be used, not only against your sanction, but even legally.

3. For, you say on another hand, that there can be no reasonable complaint for reading that very defective Book in Mixed Schools, since the Fourteenth Section of the School Act provides, that no pupil shall be required, (Catholics are forced to do so in certain Schools,) to read in any Religious Book objected to by his parents, and thereby protects all Religious Persuasions.

SUPPOSED CASES OF THE USE OF CERTAIN CONTROVERSIAL WORKS BY CHILDREN.

4. Therefore, a Quaker Book abusing Baptism, a Baptist Book abusing Infant Baptism, a Methodist Book abusing the High Church, a Presbyterian Book abusing Episcopacy, a Unitarian Book devising the Trinity of Persons in God, a Socinian Book abusing all Mysteries, etcetera; all those Books may be read in the same Class Room of your Mixed Schools, as well as the anti-Catholic Goldsmith's History, and that legally, and, of course, without any reasonable complaint, because no pupil is forced to read the Book objected to by his parents, and, thereby, children of all Religious Persuasions are equally protected!

5. O Beautiful protection! Beautiful harmony! O Admirable means of teaching God and His ordinances! Admirable way of making children improve in Religion, Faith, Piety, Unity, Charity, and in reading into the bargain!

6. And you are astonished, Reverend Doctor, at our demand of having nothing to do with such a Chimera, such a Mixture, such a regular School of Pyrrhonism, of Indifferentism, of Infidelity, and consequently of all Vices and Crimes!

THE BISHOP APPEALS AGAINST SUCH MONGREL INTERPRETATIONS OF RELIGIOUS TRUTH.

7. Please tell me, would you send your children to a School where your parental authority and family prescriptions would be interpreted in ten different ways, because none of your children would be forced to read those mongrel interpretations,—and, thereby, they would be protected in their filial respect and feelings towards you? Would the Government of Canada countenance Schools in which pupils could read Books respecting Annexationism, or any other Rebellionism, because no child would be forced to read the ism objected to by his parents, and, thereby, all children would be protected in their loyalty to the Country and to Her Majesty?

8. No, most certainly no; and Religion alone, the basis of true individual domestic and social happiness, will be a mockery in our Public Schools; or, at least, a quite different object! And you call our demand a "scruple," an "omen of evil"! Say as well that good is evil, and evil good!

ROMAN CATHOLICS WILL TOLERATE MIXED SCHOOLS ON CONDITIONS.

9. Let your Mixed Schools be without immediate danger on the treble part of the Teachers, Books and Fellow-pupils for the respective faith of all the children,—which is seldom the case in this Sectarian Country,—and I will tolerate, even recommend them, as I do sometimes, through want of a better system, but always on the condition that children are Religiously Instructed at Home, or at Church; because Secular Instruction without a Religious Education is rather a scourge than a boon for a Country; witness, the United States, Scotland, Sweden, Prussia, etcetera, where, according to statistics, Infidelity, and Immorality are increasing in proportion to Godless Education.

BISHOP DE CHARBONNEL APPROVES OF THE NATIONAL SCHOOL SYSTEM OF IRELAND.

10. But, as long as most of our Mixed Schools shall be what they are, as distant from the Common Schools of Ireland, (justly praised in your answer,) as night is from the day; as long as most of your Mixed Schools shall be in danger for the Faith and Morals of our children, they and we, their temporal and spiritual parents, will act according to the doctrine of the God, unknown to your Schools, as He was in Athens;

"If thy hand, foot, eye, is an occasion of sin to thee, cut it off, pluck it out, and cast it from thee. What does it avail a man to gain the world, if he lose his soul? Seek first the Kingdom of God and His Justice."

THE BISHOP QUOTES LAING AND GUIZOT ON THE SCHOOLS IN ROMAN CATHOLIC COUNTRIES.

11. Now, as to the boasted system of School Buildings giving more security than our Separate Schools,—as if stones, or bricks would be better than Teachers and Books,—let the

Scotch Protestant Laing, in his recent "Notes of a Traveller," tell "the people of Upper Canada," alluded to in your answer, that,—

"In Catholic Countries, even in Italy, the Education of the Common People is at least as generally diffused and as faithfully promoted by the Clerical body, as in Scotland. Education is in reality not only not repressed, but is encouraged by the Popish Church, and is a mighty instrument in its hand and ably used."

Hence the celebrated Protestant Stateman, Guizot, published lately, that by far the best School of respect towards authority is the Catholic School.

12. "In every street in Rome," continues Laing, "there are, at short distances, Public Primary Schools for the Education of the children of the Lower and Middle Classes in the neighbourhood. Rome, with a population of one hundred and fifty eight thousand, six hundred and seventy eight souls, has three hundred and seventy two Primary Schools, (and some more according to the official statement,) with four hundred and eighty two Teachers, and fourteen thousand children attending them. Has Edinburgh so many Schools for the instruction of those same classes?"

13. And you know Reverend Doctor, that Scotland is one of the boasted lands of Common Schools.

THE SCHOOL SYSTEM CONDEMNED AND MANAGEMENT OF SCHOOLS CLAIMED.

14. Therefore, since your School System is the ruin of Religion, and persecution of the Church; since we know, at least as well as any body else, how to encourage, diffuse, promote Education, (see Laing), and better than you, (see Guizot), how to teach respect towards authority; to God and His Church, to Parent and Government; since we are under the blessed principles of Religious Liberty and Equal Civil Rights, we must have, and we will have, the full management of our Schools, as well as have Protestants in Lower Canada; or the world of the Nineteenth Century will know that here, as elsewhere, Catholics, against the Constitution of the Country, against its best and most sacred interests, are persecuted by the most cruel, hypocritical persecution.

OAKVILLE, 24th March, 1852. ARM'DUS. FR. MY., Bishop of Toronto.

V. REPLY OF THE CHIEF SUPERINTENDANT OF EDUCATION TO THE FOREGOING LETTER, DATED APRIL, 24TH 1852.

1. The receipt of your Letter of the Twenty-fourth ultimo was promptly acknowleged by Mr. Hodgins in my absence; and continued official engagements, since my return, having prevented an earlier reply, I have now to observe, that, finding your allusions to the Coloured people of the Town of Chatham not sustained by a Communication from themselves, I did not deem it necessary to correct your mistake, or advert to the circumstance in my non-reply. Having received a complaint from the Coloured people of Chatham, respecting their affairs, I replied to them, and wrote to the Board of School Trustees in Chatham on the same subject. I did not, therefore, think it necessary to allude further to the subject in my reply to your Lordship.

2. As to my alleged omission in regard to the complaints respecting the Roman Catholic School in the town of Chatham, I received a Letter from the Trustees of that School, and enclosed to your Lordship a copy of my reply to their Communication.

THE CHIEF SUPERINTENDENT REPLIES TO BISHOP DE CHARBONNEL'S GENERAL COMPLAINTS.

3. In regard to Goldsmith's Elementary History of England, your Lordship did not intimate that the Roman Catholic children were compelled to use it contrary to the wishes of their parents, or guardians, but simply represented that it was used in the Mixed school; and it was to this point that my remark on the subject in reply were directed. I confined myself to general remarks on the point for another reason,—namely; from the fact that their being a Separate Roman Catholic School in Chatham, the conductors of that School could have no personal interest, or concern, in regard to what Text books were used in the Mixed School, from all connection with which they had formally withdrawn.

4. As to the claim of the Trustees of the Separate School to share in the School Moneys of the town of Chatham for 1851, they could not be sanctioned by law, since the School was not applied for until March of that year, and the Nineteenth Section of the School Act of 1850 does not permit the alteration of any School Section, or the establishment of an Separate School before the Twenty-fifth of December in any one year.

THE SCHOOL SYSTEM HAS HITHERTO BEEN SUPPORTED BY CANADIAN ROMAN CATHOLICS.

5. Having thus replied to the complaints preferred by your Lordship, I would not avert to other topics, which your Lordship has introduced, were not my silence liable to misconstruction, and did I not feel it my duty to defend, as well as to explain and impartially administer, the Common School System, which the Legislature has established in Upper Canada ;—a System which has been in operation for Ten years ; which was cordially approved of and supported by the late lamented Roman Catholic Bishop Power ; which was never objected to, as far as I know, by a single Roman Catholic in Upper Canada, during the life of that excellent Prelate and patriot, nor until a recent period.

RISE IN CANADA OF THE NEW FOREIGN ELEMENT FROM THE CONTINENT OF EUROPE.

6. If your Lordship has thought proper, during the last twelve months, to adopt a different course, and to introduce from the Continent of Europe, a new class of ideas and feelings among the Roman Catholics of Upper Canada, in regard to Schools and our whole School System, I must still adhere to my frequent unqualified expressions of admiration at the opposite course pursued by your honoured and devoted predecessor, Bishop Power.*

DISINCLINATION OF CANADIAN ROMAN CATHOLICS TO ISOLATE THEMSELVES FROM THE SCHOOL SYSTEM, AND THEIR REASONS.

7. While, I may note the facts, that, from only three neighbourhoods in Upper Canada have demands been made by Roman Catholics, in accordance with this new movement, not sanctioned by law ; that the only Roman Catholic Member of the Legislative Assembly, elected in Upper Canada, has repeatedly declared himself opposed to the principle of Separate Schools ; and the only County Municipal Council in Upper Canada, in which a majority of the Members are Roman Catholics, has adopted Resolutions against the Nineteenth Section of the School Act 1850, which permits the establishment of Separate Schools under any circumstances. The facts, that, out of three thousand Common Schools, not so many as fifty Separate Roman Catholic Schools have ever existed, or been applied for, in any one year, in Upper Canada, and that the number of such Separate Schools had gradually diminished to less than thirty, until within the last twelve months, and that during ten years but one single complaint, (and that during the present month,) has been made to this Department of any interference with the Religious Faith of Roman Catholic children ; and that not a Roman Catholic child in Upper Canada is known to have been proselyted to Protestantism, by means of our Public Schools :—these facts clearly show the general disinclination of Roman Catholics in Upper Canada to isolate themselves from their fellow-citizens in school matters, any more than in other common interests of the Country, and also the mutually just, Christian and generous, spirit in which the School, as well as other common, affairs, of the Country have been promoted by Government, by Municipal Councils, and by the people at large in their various School Sections. The exceptions to this pervading spirit of the people of Upper Canada have been "few and far between :" and, in such cases, the provision of the School Law of 1850, permitting the establishment of Separ-

*It may be appropriate here to quote the words of the able and patriotic Archbishop Ireland, uttered in 1890, on a question in the United States similar to this one. At a Meeting of the American National Education Association, held at St. Paul, Minnesota, in 1890, the question which the Archbishop proposed to discuss at that Meeting was : *"State Schools and Parish Schools: Is the union between them Impossible?* He said :—

I am the friend and advocate of the State School. I uphold the Parish School. I sincerely wish that the need of it did not exist. I would have all Schools for the children of the people State Schools.

The right of the State School to exist, I consider, is a matter beyond the stage of discussion. I fully concede it. To the child must be imparted instruction in no mean degree. The imparting of this is primarily the function of the child's parent. The Family is prior to the State. The State intervenes, whenever the Family can not, or will not, do the work that is needed. The place of the State, in the function of instruction is *loco parentis*. As things are, tens of thousands of children will not be instructed, if parents remain solely in charge of this duty. The State must come forward as an agent of instruction ; else ignorance will prevail. Indeed, in the absence of State action, there never was that universal instruction which we have so nearly attained, and which we deem necessary. In the absence of State action, I believe universal instruction would never in any Country have been possible.

State action in favour of instruction implies free Schools. . . . In no other manner can we bring instruction within the reach of all children. . . . Blest, indeed, is that nation, whose vales and hill sides the [free School] adorns, and blest the generations upon whose souls are poured their treasures. . . .

It were idle for me to praise the work of the State School of America in the imparting of secular instruction. . . It is our pride and glory. . . .

The American people are naturally reverent and religious. Their Laws and Public Observances breathe forth the perfume of religion. The American School, as it first reared its log walls amid the Villages of New England, was religious through and through. . . .

I would permeate the regular State School with the Religion of the majority of the children of the land, be it Protestant as Protestantism can be ; and I would, as they do in England, pay for the secular instruction given in Denominational Schools, according to results ; that is, each pupil passing the examination before the State Officials, and in full accordance with the State programme, would secure to his School the cost of the tuition of a pupil in the State School. . . .

(Extract from a Special Report, prepared for the Minister of Education in 1896, by J. G. H.)

ate Schools in certain circumstances, has been made use of, and just about as often by a Protestant, as by a Roman Catholic, minority in a Municipality.

SEPARATE SCHOOLS HITHERTO VIEWED BY CATHOLICS AND PROTESTANTS AS A MEANS OF PROTECTION.

8. But a provision in the law for Separate Schools was never asked, or advocated, until since 1850 as a theory, but merely as a protection in circumstances arising from the peculiar social state of neighbourhoods, or Municipalities. I always thought the introduction of any provision for Separate Schools in a Popular System of Common Education, like that of Upper Canada, was to be regretted and inexpedient ; but finding such a provision in existence, and that parties concerned attached great importance to it, I have advocated its continuance,—leaving Separate Schools to die out, not by force of legislative enactment, but under the influence of increasingly enlightened and enlarged views of Christian relations, rights and duties between different classes of the community. I have, at all times, endeavoured to secure to parties desiring Separate Schools, all the facilities which the law provides—though I believe the legal provision for Separate Schools has been, and is seriously injurious, rather than beneficial, to the Roman Catholic portion of the community, as I know very many intelligent Members of that Church believe as well as myself. I have as heartily sought to respect the feelings and promote the interests of my Roman Catholic fellow-citizens, as those of any other portion of the community; and I shall continue to do so, notwithstanding the personally discourteous tone and character of your Lordship's Communication.

EFFECT ON ROMAN CATHOLIC TEACHERS OF THE BISHOP DE CHARBONNEL'S DENUNCIATIONS.

9. There are, comparatively, few school divisions in Upper Canada, beyond the Cities and Towns, (where the Trustees have generally employed a fair proportion of Roman Catholic Teachers) in which it is possible for the Roman Catholic to maintain an efficient Separate School ; and, if your Lordship persists in representing the Common Schools, maintained by the several Religious classes of the community, as fraught with "sceptism, infidelity and vice," the situation of Roman Catholics, sparely scattered throughout more than twenty-five hundred, of the three thousand, School Sections of Upper Canada, will be rendered unpleasant to themselves, and they will be encouraged to neglect the education of their children altogether. By the official returns for 1849, there were three hundred and thirty-nine, (339), Roman Catholic School Teachers employed in Upper Canada ; in 1850, their number was increased to three hundred and ninety, (390) ; and I have as cordially endeavoured to get situations for good Roman Catholic Teachers, as for good Protestant Teachers. It is clear that the greater part of the three hundred and ninety Roman Catholic Teachers have been employed by Protestant Trustees and parents ; but, if the war of total separation in school matters, between the Protestants and Roman Catholics of Upper Canada, is commenced, as proclaimed by your Lordship, many of these worthy Teachers will be placed in painful circumstances, and a separation will soon begin to take place between the two portions of the community in other relations and employments.

BISHOP DE CHARBONNEL NOW DEMANDS FULL CONTROL OF THE SEPARATE SCHOOLS.

10. Your Lordship says, "We must have, and we will have, the full management of our Schools, as well as the Protestants in Lower Canada, or the World of the Nineteenth Century will know, that here, as elsewhere, Catholics, against the Constitution of the Country, against its best and most sacred interests, are persecuted by the most cruel and hypocritical persecution."

11. On this passage I remark, that I am not aware of Lower Canada presenting a better standard than Upper Canada of either Religious, or Civil, Rights in the managements of Schools by any portion of the community. A popular System of Education not yet being fully established in Lower Canada, the School System there is necessarily more despotic than here, and the Executive Government does many things there which appertain to elective Municipalities to do here : and to accomplish, what is indicated by your Lordship, would involve the subversion of the Municipal system and liberties of Upper Canada. From the beginning, Upper Canada and Lower Canada has each had its own School System. Of the annual Legislative School Grant of Fifty thousand pounds, (£50,000), Lower Canada has received Twenty-nine thousand pounds, (£29,000), per annum, until 1851, (when the Grant was equally divided,) and Upper Canada, Twenty-one thousand, (£21,000) ; which constituted the whole of the Legislative School Fund for Upper Canada for the establishment and support of the Normal, as well as the Common, Schools. Upper Canada has not attempted to interfere with Lower Canada in regard to its School System, nor has Lower Canada attempted to interfere with Upper Canada in regard to its School System ; nor do I think the collision in school matters invoked by your

Lordship, will be responded to by either section of United Canada ; at least, for the sake of the peace and unity of Canada, I hope it may not.

Equality of the Public and Separate Schools in Upper Canada.

12. Then, as to the fact, which your Lordship says will be known to "the world of the Nineteenth Century," I may observe, that the Managers of the twenty-one Roman Catholic, and twenty-five Protestant, Separate Schools in Upper Canada, are placed exactly upon the same footing ; that the Managers of each class of these Schools have precisely the same contro of them that the Trustees of Common Schools have over their Schools ; that each class of Separate Schools and the Common Schools are under the same Official Regulations ; that these relations and Regulations have existed for ten years, with the approbation of your lamented predecessor, (who was a British Colonist, by birth and education, as well as in feeling,) and with the concurrence of both Roman Catholics and Protestants ; nor had I ever heard, before receiving your Lordship's Letter, that the Government and Legislature had for so many years established and maintained, and that I, in connection with the elective Municipalities of Upper Canada, had been administering and extending a system of "the most cruel and hypocritical persecution" against any portion of the community.

13. Nay, so perfect is the quality among Teachers, as well as Managers, of each class of schools, that they are all examined and classed as to intellectual attainments, by the same Board of Examination ; while the Certificates of their respective Clergy are the guarantee for their Religious knowledge and character. There is perfect equality for the Teachers of Separate Roman Catholic, or Protestant, or Common, Schools ; and the great principle is maintained, that no part of the School Fund raised by, or belonging to, a Municipality shall be paid to any Teacher whose qualifications are not attested by Examiners appointed by such Municipality.

Roman Catholics are Protected in their Right of Choice of Schools.

14. It is true, that no Roman Catholic, or Protestant, can be compelled to support a Separate school, unless he applies for it, or chooses to send his children to it . and it is also true, that every Protestant, or Roman Catholic, has a right to send his children to the Public School, and also the right of equal protection to his own views in regard to the Religious instruction of his children. It is furthermore true, that no part of the money for Separate Schools is paid into the hands, or placed at the discretion, of either the Roman Catholic, or Protestant, Clergy, but is subject to the orders in each case of the elected Trustees of Separate Schools in aid of the support of Teachers employed by them. But, in each of these cases, I think the law secures individual protection and rights, rather than breathes the "most cruel and hypocritical persecution."

15. There is thus no difference whatever between Protestant, or Roman Catholic Separate, Schools and Mixed Schools, as to the examination of Teachers on the Certificates of their respective Clergy ; no difference as to the times at which such Schools shall commence, and the legal conditions and Official Regulations to which they are subject ; no difference as to the basis of apportioning the School Fund, to aid in the payment of the salaries of the Teachers of each class of Schools. There is, therefore, not the slightest ground for alleging "most cruel and hypocritical persecution," in regard to the one, any more than in respect to the other, class of Schools ; and there are "the blessed principles of Religious Liberty, and Equal Civil Right," in regard to them all.

What Would be the Effect of the Bishop's Two-fold Demand.

16. The demand which your Lordship advocates, in behalf of the Trustees of the Roman Catholic Separate Schools in the town of Chatham, is two fold :

1. That whatever sum, or sums, of money any Municipality may raise for school purposes, shall be regarded as the Legal School Fund of such Municipality, and be equally divided according to the attendance of Pupils, between the Public and Separate School.

2. That the same principle shall be applied in the expenditure of whatever moneys may be raised for the building, repairs and furnishing of School Houses ; that is, that the Municipalities shall be under the same obligation to provide Separate School Houses ; as Public School Houses, that they shall not be able to provide for the latter, without providing for the former.

The Novelty of these Recent Demands by the Bishop.

17. Now, in regard to this demand, I have three remarks to make :

1. It is novel ; it has never been made in any Communication to this Department, until since the commencement of the current year.

2. It proposes a novel interpretation of the term "School Fund." The Fortieth Section of the School Act of 1850 defines it to consist in each Municipality of "the sum of money appropriated annually by the Chief Superintendent of Education, and at least an equal sum raised by local assessment." The Twenty-seventh Section of the Act of 1850 provides, that a County Council, (and the provision is applied in another part of the Act to Cities, Towns, and Incorporated Villages), can increase, at its discretion, the sum required to be raised by local assessment, and may apply it to increase the Local School Fund, or in giving special aid to the Schools recommended to its favourable consideration, as it may judge expedient. I have never heard it doubted before, much less complained of as a grievance, that each Municipality, after having fulfilled the conditions of the School Act, could apply, at its own discretion, any additional sum, or sums, of money it might think proper to raise for school purposes.

Definition of the Term "School Fund," before this Agitation by the Bishop.

18. I have, in all past years, thus explained this provision of the School Act of 1850, in my Correspondence with Municipal Councils; and in my Letter addressed to the Provincial Secretary on the School Law generally, dated May 12th, 1849,* are the following words:

"The School Act authorizes any Council to raise as large an amount as it pleases for Common School purposes. I have never insisted, in regard to the Common School Fund, upon a larger sum in each District, or Township, than that apportioned to such District, or Township, out of the Legislative School Grant. Any sum over and above that amount, which a Council may think proper to raise, may, (as has been done by some Councils,) be applied in such a manner to the relief of any otherwise unprovided for poor School Sections within its jurisdiction, at the pleasure of each Council."

There is no Reason Why this former Defination Should be Altered.

19. What I have regarded and averred in past years to be the plain meaning of the law, and an important right of Municipalities, and that without any view to Separate Schools, I see no reason to say, or undo, now. Besides, what the law declares to constitute the School Fund, and to whatever amount a Municipality may increase it, as in Lower Canada, can be applied to the erection, rents, or repairs, of School Houses; but both the Fortieth and Forty-fifth Sections of our School Act of 1850 expressly require that such money "shall be expended for no other purpose than that of paying the salaries of qualified Teachers of Common Schools."

The School Fund Cannot be Applied to the Building of School Houses.

20. I remark further, that as no apportionment from the Legislative School Grant, or School Fund, is made, and, as no part of such fund, can be applied, for the erection, rent, repairs, or furnishing, of School Houses of any description, all sums expended for these purposes in any Municipality must be specially raised by local voluntary assessment, or subscription, in such Municipality.

Municipal Right is a Fundamental Principle of the School Law.

21. The principle of the School Law of 1850 is, that each Municipality has a right to do what it pleases with its own;—that is, with what it does not receive from the Legislature; what it is not required to raise as a condition of receiving Legislative aid, but what it voluntarily provides of itself, within its own jurisdiction.

Violation of Municipal Rights is Involved in the Bishop's New Demands.

22. But, if according to your Lordship's advocacy, a Municipality must be compelled to tax themselves to provide Separate School Houses for Religious Persuasions, in addition to Public School Houses, there may be a high degree of "civil liberty" secured to certain Religious Persuasions, but a melancholy slavery is imposed upon the Municipalities. The liberty of teaching, any more than the liberty of preaching, by any Religious Persuasion, has never been understood in Upper Canada to mean the right of compelling Municipalities to provide places of teaching, any more than places of preaching, for such Religious Persuasions. Such liberty, or rather such despotic authority, possessed by any Religious Persuasion, is the grave of the public Municipal liberties of Upper Canada.

Vindication of the Educational Rights of Upper Canada and its People.

23. Your Lordship has furthermore been pleased to designate Upper Canada,—the Country of my birth and warmest affections,—as "this Sectarian Country;"—a term which

* This Letter will be found on pages 225-230 of the Eighth Volume of this Documentary History.

not merely implies the existence of sectarianism, (for that exists in Austria and Italy, as well as in Upper Canada,) but that such is the distinguishing character of the Country, as we are accustomed to say an enlightened, a civilized, or a barbarous, Country, according to the prevailing character of its Institutions and inhabitants. I think your Lordship's designation of Upper Canada is an unmerited imputation ; I am persuaded that a large majority of the people are as firm believers in "the Father, the Son, and the Holy Ghost," and in all that our Lord and His Apostles taught as necessary to everlasting salvation, as either your Lordship, or myself. A standard English lexicographer has defined "sect" to be "a party in Religion which holds tenets different from those of the prevailing Denominations in a Kingdom, or State," and Becherelle, in his noble "*Dictionnaire National*," says, after Linguet, that "De toutes les sectes, il n'en est pas de plus furieuses, de plus intolérantes, de plus injustes, que celles qui choisissent pour cri de guère la religion et la liberté." But I see no application of either of these characteristics of sectarians to the majority of the people whom your Lordship reproaches,—a people, in religious morals, in honesty, industry, in enterprise, in the first and essential elements of a nation's civilization, in advance of the people of those very States of Italy, to the Schools of whose capital you have drawn my attention.

Remarks on the Christian Character of Education in Upper Canada.

24. Your Lordship has represented "God as unknown to our Schools as He was in Athens;" and by the passages of the Scriptures, which you have quoted as well as by your remarks upon our School Regulation, you intimate that I place Earth before Heaven, and the gain of the world before the loss of the soul. I remark, that I believe a majority of the Members of the Council of Public Instruction, by whom the Regulations were made for our Schools in regard to Religious and Moral Instruction, are as deeply impressed with the worth and the value of Heaven, as your Lordship ; and so far from God being "unknown to our Schools," the authorized Version of His inspired Word, (the text book of the Religious Faith of a large majority of the people of Upper Canada,) is read in two thousand and sixty seven, out of three thousand of these Schools.

The Bishop may Propose Amendments to the Council's General Regulations.

25. And if the Regulations are criminally defective in this respect, your Lordship, as a Member of the Council of Public Instruction, has had, and still has, ample opportunity to propose their correction and amendment.

Parents and Churches should provide Religious Instruction for the Children.*

26. Though I have perhaps learned, by personal observation and enquiry, more of both Irish and Canadian Schools than your Lordship, and am not sensible of the vast inferiority of Canadian Schools, of which you speak ; yet, if such be the fact, in a Religious point of view, the fault must lie with the Clergy throughout the Country, and not in the Regulations, since our Regulations are borrowed from those which have operated so benefically in Ireland. Who is to provide for, and look after, the Religious Instruction of the youth of the land, but the Clergy and the Churches? Government was certainly not established to be the censor and shepherd of Religious Persuasions and their Clergy, or to perform their duties. I lament that the Clergy and Religious Persuasions of Upper Canada have not been more attentive to the Religious Instruction of youth,—the youth of the land—: but, as to our youth and fellow-countrymen in Upper Canada not being taught to respect law and authority, as in the Schools of Rome, I may observe that authority and law are maintained among us by the people themselves, without our Capital being occupied by Foreign armies to keep the citizens from expelling their Sovereign from the Throne.

The Bishop's Picture of Controversial Works in Schools is an Imaginary one.

27. Your Lordship draws a vivid picture of each of the children in a School being taught from a Book abusing the Religion of the parents of the other children. I have only to remark on this point, that the picture exists in your Lordship's imagination alone, as there is no foundation for it, in fact, or probability.

The Church Catechisms Do Not Abuse Religious Persuasions.

28. Even should the Teacher hear the children separately recite, once a week, the Catechisms of their Religious Persuasions, as he would hear them recite a fact in history, or a rule in Arithmetic, (without any regard to the merits of it), what your Lordship fancies could not

* See the forcible remarks of the Chief Superintendent on this subject, in his Annual Report for 1851, on pages 33-37 of this Volume.

occur even in this strongest case that can be put, as the Catechism of no Religious Persuasion, as far as I know, consists in abusing other Religious persuasions ; but, is only a summary of Christian faith and duty professed by its adherents. I know not of the occurrence of a case such as your Lordship has imagined in all Upper Canada during the last ten years ; and down to a recent period an increasingly friendly feeling and co-operation existed between Roman Catholics and Protestants,—a feeling which I had hoped, and had reason to believe, until within the last twelve months, would have been promoted by your Lordship, as it was by your honoured predecessor, Bishop Power.

SPECIAL INFORMATION OF INTERFERENCE WITH RIGHTS OF CONSCIENCE SHOULD BE REPORTED

29. Your Lordship says, that "Catholics are forced in certain Schools to read from Religious Books, to which their parents object ;" but why are not the names of the places and parties mentioned ? For I can promise your Lordship a prompt and effective remedy in every case, which shall be made known to this Department.

THE SPECIAL CASE OF THE GEORGETOWN COMMON SCHOOL TRUSTEES.

30. But, it appears to me, that if such cases exist, they would be made known, from the great importance and publicity which has been given to the case of Mr. Maurice Carroll, and the School Trustees at Georgetown, in the Township of Esquesing, the only case of the kind that was ever brought under the notice of this Department ; and on the very day I received Mr. Carroll's letter of complaint, I answered it in strong terms of condemnation, as to the proceedings of the Trustees, and in maintenance of his supremacy and inviolable right in regard to the attendance, or non-attendance, of his children upon Religious Exercises in the School. A day or two afterwards, I repeated the same decision and views to the Teacher and Trustees concerned, and there the matter has ended ; and it would have been the occasion of no bad feelings beyond the School Section itself, had not the complaining parties, according to the advice of your Lordship, previously spread it abroad in the Newspapers, instead of at first appealing to the tribunal authorized by law to decide on such matters,—recourse being open to the Judges of the land, and to the Governor-General-in-Council, should I fail in impartiality and energy in remedying the wrong complained of.

THE BISHOP'S TEACHING AND PRACTICE IN REGARD TO "RESPECT TOWARD AUTHORITY."

31. And I must appeal to your Lordship, and, especially after your Lordship has spoken so decidedly of "respect towards Authority, Law and Government not being taught in our Schools ;" whether it was promoting either of these objects for your Lordship to encourage Mr. Maurice Carroll of Georgetown to go to the Newspapers, instead of to the legal authorities, to remedy a legal wrong,—to appeal to popular passion and Religious animosities, instead of first appealing to this Department, or to the Government, and exhausting the resources provided by law for legal protection against illegal oppression ?

EFFECT OF THE GENERAL OPERATION OF BISHOP DE CHARBONNEL'S PRACTICE IN THIS CASE.

32. Should the examples and counsels, which your Lordship has given to Mr. Maurice Carroll, be adopted by all parties throughout the land, in regard to any alleged wrong that may be committed by one party against another, what respect for law would there be ? What administration of law could there be ? What must be the social state of the Country other than that of unbridled passion, lawlessness and anarchy ? On a matter of so much importance to the social happiness and best interests of all classes of people in Upper Canada, I confidently appeal from your Lordship, under excitement, to your Lordship when calm and thoughtful.

THE MIXED CHARACTER OF GUIZOT'S FRENCH SCHOOL SYSTEM.

33. Your Lordship has called my attention to the authority of Guizot, as much better than mine in school matters. I readily acknowledge the authority of that great French Statesman and Educationist. I read his projects for School Laws in France, and his various Circulars to Local School Authorities at the time he was French Minister of Public Instruction, before I prepared my own projects and Circulars ; and, when I found under his system, a Roman Catholic Priest, a Protestant Minister and a Jewish Rabbi, in connection with several laymen, composing and acting harmoniously in each of the Educational Committees,—answering to our County Boards,—I did not imagine that a School System based on the same principle, could be regarded as a "most cruel and hypocritical persecution," by either a Protestant, or Roman Catholic, in Upper Canada.

SCHOOLS IN ROME.—"RESPECT FOR AUTHORITY."—OBJECTS OF EDUCATION.

34. Then your Lordship cites to me the testimony of the "Scotch Presbyterian, Laing," in regard to the number of Schools in Rome, and their tendency to promote respect to established

uthority. I have no wish to question the correctness of the conclusion, which your Lordship would wish to establish by these references, much less to disparage the Schools alluded to, many of which I have personally visited and found them admirably conducted, and well adapted to the purpose for which they were established. But, I must say, that I do not consider respect for existing authority to be the sole object of education, or of the establishment and multiplication of Schools for the mass of the people. Of course, the more energetically such an object is promoted, in both Austria and Italy, and in all despotic Countries, the more effectually will Schools and Education be employed as an instrument of despotism. I think Education and Schools fail to fulfil a vital part of their mission if they do not develope all the intellectual powers of man, teach him self-reliance, as well as dependence on God, excite him to industry and enterprise, and instruct him in the rights, as well as duties, of man.

What May be Regarded as the Results of Education in Italy and Scotland.

35. That the numerous Schools of Rome and Roman Italy fail in several of these particulars, notwithstanding their efficiency in other respects, is manifest from the proverbial indolence, dishonesty, poverty and misery of the mass of the people, notwithstanding its genial climate, the fertility of the soil, and the glory of its ancient historical recollections, while hyperborean Scotland, with its mountain heaths and glens, stands, by the united testimony of travellers and historians, as far above modern Italy in all the elements of the intellectual and moral grandeur of man, as it is below it in beauty of climate and richness of soil. And this difference may be largely traced to the different Systems of Education in the Schools and Colleges of the two Countries.

There are Bayonets in Rome, but Loyalty in Edinburgh.

39. Your Lordship will recollect that Laing wrote before 1848, and with a view to prompt his fellow-countrymen to still greater efforts in the cause of Popular Education. Since Laing wrote, there has been a Revolution at Rome, and the very City, the streets of which were studded with Schools, expelled its Sovereign, and, at this day, is only kept in subjection to the existing authority, by the Bayonets of France and Austria ; while Edinburgh maintains an inviolable and spontaneous allegiance to its Sovereign, as deep in its Religious convictions as it is fervent in its patriotic impulses. I think it right to say this much, in reply to your Lordship's reference to Scotland, although I have no connection with that Country by natural birth, or confession of faith.

The Reason of This Defence Against the New Education Crusade.

I have thus not rendered myself liable to blame for having passed over in silence any one of the many topics which your Lordship has thought proper to introduce ; but I have carefully noticed each of them, in a belief that your Lordship entertains defective and erroneous views of the School System and Municipal Institutions of Upper Canada ; with a desire of placing before you the whole question in its present and probable future bearings, before your Lordship shall enter upon the course indicated in your Letter ; and from a sense of duty to successive Administrations and Parliaments that have established our Common School System, and to the Municipalities and people at large, who have so nobly sustained it, as well as from a deep consciousness of personal responsibility in this matter, for the future well-being and destinies of my native land.

Toronto, 24th April, 1852. Egerton Ryerson.

VI. Letter from the Roman Catholic Bishop of Toronto, to the Chief Superintendent of Education, dated Toronto, May 1st, 1852, stating more fully in French, the views expressed in his former Letters, written in English.

(Note.—The following are the titles of the remaining Letters and Papers in this Separate School Return to the House of Assembly.)

VII. Translation of the foregoing French Letter into English.

VIII. Letter from the Chief Superintendent of Education, to the Roman Catholic Bishop of Toronto, dated May 12th, 1852, in reply to the foregoing.

IX. Note from the Roman Catholic Bishop of Toronto, to the Chief Superintendent of Education, dated May 22nd, 1852, acdnowledging the receipt of the foregoing Letter, as the conclusion of the Correspondence with the Head of the Educational Department.

X. Letter from the Roman Catholic Bishop of Toronto, to the Chairman of the Council of Public Instruction for Upper Canada, dated May 26th, 1852, on the subject of the Correspondence with the Chief Superintendent of Education for Upper Canada.

XI. Letter from the Chief Superintendent of Education to the Roman Catholic Bishop of Toronto, dated May 31st, 1852, in reply to the foregoing.

(XII, XIII. Two other Letters, which had been accidentally omitted, were afterwards appended.)

APPENDIX TO THIS RETURN,—CONTAINING LETTERS AND DOCUMENTS REFERRED TO IN THE FOREGOING CORRESPONDENCE.

Number 1. Letter from the very Reverend R. J. Tellier, S. J., Toronto, to the Chairman of the Council of Public Instruction for Upper Canada, dated February 21st, 1852, enclosing a Letter from a Trustee of Roman Catholic Separate School at Chatham, Upper Canada.

Number 2. Enclosed in the foregoing was a Letter from Mr. J. B. Williams of Chatham, to the Chairman of the Council of Public Instruction for Upper Canada, dated January 15th, 1852, complaining of the conduct of the Board of School Trustees of the Town of Chatham towards the Roman Catholic School, and seeking relief.

Number 3. Letter from the Chief Superintendent of Education, to Mr. J. B. Williams, dated February 23rd, 1852, in reply to the foregoing.

Number 4. Letter from the Secretary of the Province to the Chief Superintendent of Education, dated April 6th, 1852, transmitting the extract of a Letter from Mr. J. B. Williams, Chatham, on the subject of the Roman Catholic Separate School in that place, and requesting information for His Excellency's guidance.

Number 5. Letter from the Chief Superintendent of Education to the Secretary of the Province, dated April 17th, 1852, in reply to the foregoing.

Number 6. Letter from Mr. John O. Hare, Belleville, to the Chief Superintendent of Educacation, dated December 30th, 1851, soliciting information on certain points of the School Law submitted.

Number 7. Letter from the Chief Superintendent of Education, to Mr. J. O. Hare, Belleville, dated January 5th, 1852, in reply to the foregoing.

Number 8. Letter from the Secretary of the Board of School Trustees, Belleville, to the Chief Superintendent of Education, dated February 6th, 1852, submitting a Letter to the Board, from Mr. J. O. Hare, and requesting an opinion thereon.

Number 9. Enclosed in the foregoing was a Letter from Mr. John O. Hare, Belleville, to the Board of School Trustees, of that Town, dated January 21st, 1852, submitting the case of the Roman Catholic Separate School in Belleville, and inquiring what aid would be granted to it out of the School Fund.

Number 10. Letter from the Chief Superintendent of Education to the Secretary of the Board of School Trustees, Belleville, dated February 7th, 1852, in reply to his Letter, (Number 8, above.)

Number 11. Letter from Mr. John O. Hare, Belleville, to the Chief Superintendent of Schools, dated February 12th, 1852, submitting further information in regard to the preceding case.

Number 12. Letter from the Chief Superintendent of Education, to Mr. J. O. Hare, dated February 18th, 1852, in reply to the foregoing.

Number 13. Letter from the Secretary of the Board of School Trustees, Belleville, to the Chief Superintendent of Education, dated February 12th, 1852, submitting another question for consideration.

Number 14. Letter from the Chief Superintendent of Education, to the Secretary of the Board of School Trustees, Belleville, dated February 18th, 1852, in reply to the foregoing.

Number 15. Letter from the Roman Catholic Bishop of Toronto, to Mr. Maurice Carroll, of Georgetown, dated April 3rd, 1852, on the subject of a dispute with the Trustees of School Section Number Ten in the Township of Esquesing.

Number 16. Letter from certain Roman Catholic inhabitants of Georgetown, Esquesing, to the Chief Superintendent of Education, dated April 5th, 1852, objecting to the practice of performing Protestant Religious service in the School by the Teacher.

Number 17. Letter from the Chief Superintendent of Education, to the Roman Catholic inhabitants of Georgetown, dated April 8th, 1852, in reply to the foregoing.

Number 18. Letter from the Trustees of School Section Number Ten, Esquesing, (Georgetown), dated April 10th, 1852, explanatory of their conduct to the parties in the preceding complaint.

Number 19. Letter from the Chief Superintendent of Education, to the Trustees of School Section Number Ten, Esquesing, (Georgetown), dated April 22nd, 1852, in reply to the foregoing.

Number 20. Letter from certain Roman Catholic inhabitants of Georgetown, Esquesing, to the Chief Superintendent of Education, dated April 12th, 1852, additional to their former Letter, Number 16 above.

Number 21. Letter from the Chief Superintendent of Education to Mr. Maurice Carroll, School Section Number Ten, Esquesing, dated April 24th 1852, in reply to the foregoing.

Number 22. Letter from the Reverend Rupert Ebner, Wilmot, to the Chief Superintendent of Education, dated February 26th, 1852, making a complaint.

Number 23. Letter from the Chief Superintendent of Education, to the Reverend Rupert Ebner, dated March 3rd, 1852, in reply to the foregoing.

Number 24. Letter from the Local School Superintendent of Wilmot, and of the German Schools in Wellesley, to the Chief Superintendent of Education, dated March 9th, 1852, submitting the case of the Roman Catholic Separate Schools in Wellesley, and soliciting advice.

Number 25. Letter from the Chief Superintendent of Education, to the Local School Superintendent of Wellesley, dated March 20th, 1852, in reply to the foregoing.

Number 26. Letter from the Reverend Rupert Ebner, Wilmot, to the Chief Superintendent of Education, dated April 27th, 1852, in reference to the matter contained in his former Letter, Number 22 above.

Number 27. Letter from the Chief Superintendent of Education, to the Reverend Rupert Ebner, dated May 31st, 1852, in reply to the foregoing.

Number 28. Letter from the Chairman of the Board of School Trustees, of the City of Toronto, to the Chief Superintendent of Education, dated June 2nd, 1852, requesting him to obtain the opinion of the Law Officers of the Crown as to the construction of the term "School Fund" in the Act of 1850 : Thirteenth and Fourteenth Victoria, Chapter Forty-eight, Section Forty, in connection with Section Nineteen of the Same Act.

Number 29. Enclosed in the foregoing ; Letter from Mr. J. T. O'Neill, to the Board of School Trustees, dated April 20th, 1852, submitting the claims of the Roman Catholic Separate Schools, Toronto, to the Board.

Number 30. Also enclosed.—Report of the Free School Committee of the Board of School Trustees, Toronto, upon the foregoing application, dated May 19th, 1852.

Number 31. Letter from the Chief Superintendent of Education, to the Chairman of the Board of School Trustees, Toronto, dated July 7th, 1852, in reply to his Letter. (Number 28, above.)

Number 32. Table showing the number of Protestant and Roman Catholic Separate Schools in operation in Upper Canada, during the years 1850 and 1851—also during the years 1847, 1848, and 1849.

Number 33. Provisions of the Common School Act of 1850 : Thirteenth and Fourteenth Victoria, Chapter Forty-eight, relating to Separate Schools in Upper Canada.—Sections Fourteen and Nineteen.

Number 34. Declaratory Act of 1851 : Fourteenth and Fifteenth Victoria, Chapter One hundred and eleven, Restoring certain Rights to the Supporters of Separate Schools in Upper Canada.

Number 35. Constitution and Government of the Common Schools, in regard to Religious and Moral Instruction.—(From the School Regulations, adopted by the Council of Public Instruction, on the Fifth day of August, 1850.)

Number 36. Fortieth Section of the School Act : Thirteenth and Fourteenth Victoria, Chapter Forty-eight, defining the Common School Fund of each County, City, Town and Village in Upper Canada.—Frequently referred to in the foregoing Correspondence and Appendix.

II. RETURN RELATING TO DEPOSITORY AND FINANCIAL MATTERS, 1852.

The following is a copy of the Order of the House of Assembly, asking for this Return, which was passed on the 30th of September, 1852, as follows :

1. A Statement in detail, shewing what Books, Maps, and other Articles for Schools, or Teachers, have been purchased and sold by the Chief Superintendent of Education, West, within the last three years ; whether, (1), as advertised for sale in his Official Paper : *The Journal of Education for Upper Canada*, or ; (2), otherwise offered to the Public, and to School Teachers, and,—

2. A similar Statement in regard to the said *Journal of Education*, and to what purpose the said profits [on the sales] are applied. Also,—

3. A Statement, shewing in detail, the manner in which Two Thousand Pounds, (£2,000,) granted [by the Legislature, under the authority of the Supplementary School Act of 1853, (page 139 of this Volume,) (1), for School Libraries, and the Two Thousand, Seven Hundred pounds, (£2,700), for, (2), School Architecture, and (3), for Normal School Contingencies, and (4), for [aid to] Student-Teachers, have been disposed of and applied.

This Order of the House of Assembly, having been sent to the Chief Superintendent of Education by the Assistant Secretary of the Province, Doctor Ryerson replied to the Assistant Secretary's Letter as follows:

I have the honour to acknowledge the receipt of your letter of the 6th ultimo, requesting me, by direction of his Excellency the Governor General, to furnish certain Returns which had been applied for by the Legislative Assembly. I have the honour to transmit herewith the Returns required, with the following References and Explanatory remarks.

1. The first of the Returns which I send contains an account, in detail, of the Receipts and Expenditures of the Grants made in support of the Normal and Model Schools for Upper Canada, under the authority of the Supplementary School Act of 1853: Thirteenth and Fourteenth Victoria, Chapter Forty-eight.

This account is contained in my Annual School Report for 1851 Table H. page Fifty-four, It had been already laid before the Legislative Assembly, and ordered to be printed.*

2. The second of the accompanying Statements contains an account in detail of the Receipts and Expenditures of the *Journal of Education for Upper Canada*, since its establishment in 1848. The expenses of this publication have varied from time to time, according to the type used, the edition printed and the number of engravings procured and inserted in it.

The publication of the *Journal of Education* was undertaken with the permission of the Governor General.‡ The original Prospectus, which will be found in the Appendix to these Returns, Number 12, shows that it was voluntarily undertaken by me, upon my own responsibility, and with the certainty of not receiving a farthing for the responsibility incurred. The Account shows that, during the first two, or three, years the expenses of *The Journal of Education* considerably exceeded the receipts, while the increasing sales of it during the last two years have reimbursed me for the advances I had previously made to sustain it, besides the voluntary contribution of the labour of editing it.

The Accounts of the receipts and expenditures of *The Journal of Education* are kept separately from all other Accounts, and they will show that I have never derived one farthing "profit" from that publication. Though the Account is strictly speaking a private affair, I am glad of this opportunity afforded me to repel and refute the insinuations and statements, which had been made, that I was deriving pecuniary advantage from *The Journal of Education*, instead of making a voluntary and gratuitous contribution of the editing of five Volumes of that periodical, which I have reason to believe, from various testimonials, has been of some service in promoting the interests of General Education in Upper Canada. Nor should I have been at all able, in addition to other duties, to sustain this monthly publication to the present time, had it not been for the cordial and able assistance of Mr. J. George Hodgins, who, besides keeping the Accounts, had contributed largely to the Editorial management of it. In the State of New York, the Legislature has granted for many years, Twenty-four hundred Dollars, ($2,400,) per annum for the publication of a *Monthly School Journal*, I have asked no Legislative aid for doing the same work in Upper Canada; and I hope, that, if I should continue voluntarily to perform the same service, upon my own responsibility, and without Legislative aid, I may, at least in the Legislature, be protected from unjust attacks for doing so.

3. The Third of the accompanying Statements contains a detailed Account of the Receipts and Expenditures of the Two Hundred pounds, (£200,) per annum, granted under the authority of the Forty-first Section of the School Act of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight, Section Forty-one, for the purpose of "procuring Plans and Publications for the improvement of School Architecture and Practical Science in connection with Common Schools in Upper Canada." The Honourable John Hillyard Cameron moved the introduction of this clause into the School Act of 1850; and Mr. Robert Bell, late Member for the Counties of Lanark and Renfrew, moved that the sum should be Two hundred pounds, (£200, instead of One hundred pounds, (£100,) per annum, as was originally proposed.

Steps Taken to Give Effect to the Financial Provisions of the School Law.

4. My first step towards giving effect to this most useful clause of the provision of the School Act of 1850, was to procure a copy of the best and most comprehensive work extant on

*This and other Statistical Tables of the Annual Report of the Chief Superintendent of Education for 1851 are not published in this Volume,—they being too voluminous, as explained in the Note on page 27 of that Volume. The Tables can be seen in the Appendices to the Journals of the House of Assembly for 1851.

‡Authority to make the *Journal of Education for Upper Canada* the official organ of the Education Department was given by the Governor General-in-Council on the 30th of July, 1850. See pages 191, 2 of the Ninth Volume of this Documentary History. See also the information on the subject by the Chief Superintendent, given in his evidence before the Finance Committee of the House of Assembly in 1850, on pages 186, 187 of the same Ninth Volume of this History.

School Architecture for each Township, City, Town and Village in Upper Canada,—Four hundred copies in all. My next step was to furnish each County with specimens of Maps and various School Requisites, which I had selected in both England and the United States, and which are admirably adapted to improve the Schools, to save the time of youth, and greatly to facilitate their acquisition of knowledge. I have believed, and am now assured by experience, that one of the most effectual means of introducing school improvements into the various municipalities is to furnish their local Representatives with specimens of the facilities for procuring them. The replies of the various Municipal Councils, (as given in the Appendix B. Numbers 1 to 27, pages 133 to 145, of my Annual Report for 1851,)* acknowledging the receipt of the various specimens of School Apparatus and Publications which I presented to them last year, will show the influence they are likely to exert; and, I may add, that during the current year the purchases by local School Authorities of these Publications have amounted to several hundred pounds, and are rapidly increasing. It will be seen by the account, that I have in this way expended nearly three hundred pounds, (£268.4.1), more than I have yet received under the authority of the Clause of the Act of 1850 referred to.

5. The accompanying Statement Number Four, contains the Returns desired respecting the appropriation made for the Establishment of Public School Libraries. Next to providing School-houses, School Text-books, Maps and other Requisites, I deemed the establishment of Public School Libraries of the greatest importance; and, learning how many errors had been committed, and how many comparative failures had been experienced in attempts to establish Public School Libraries in the neighbouring States, I thought to avoid such mistakes and disappointments as far as possible, by selecting a variety of the most suitable and popular Reading Books in each Department of human knowledge, and by making arrangements for, and applying them to, each Municipality and School Corporation, upon the lowest terms possible,—thus partially aiding parties who are establishing Libraries in the selection of them, and giving them the assurance that every Book included in the list, from which they might make their selection, had been carefully examined and recommended by disinterested persons, (that is the Council of Public Instruction,) and rendered accessible to them at the lowest cost prices, from a Department,—the Buildings and all the Contingent Expenses of which were otherwise provided for.

6. With a view to these objects, I submitted to the Governor General the recommendation contained in Letters One and Two of the accompanying Appendix; and my recommendations having been approved by His Excellency, (see Appendix Number Three) I proceeded to make the preliminary arrangements to give them effect, in the manner detailed in Letters Numbers Three, Four and Five of the accompanying Appendix. Lord Grey, the Colonial Secretary, and the Marquis of Lansdowne, (who was the Chairman of the Privy Council Committee on Education,) took a lively interest in the arrangements which I proposed, and the Letters referred to will show the pains they took to promote the objects I had in view.

7. It will be seen by Letter Number Six, and its enclosure, (Number Seven), in the Appendix to these Returns, that Her Majesty's Government had made arrangements to procure, for the Schools aided by Parliamentary Grants in England, School Maps and Books at an average of Forty-three per cent. below the ordinary selling prices; and, through the interposition of Her Majesty's Government, I was enabled to render that arrangement available to the Schools in Upper Canada.

8. At the same time it occurred to me that I might make a still further and more advantageous arrangement with the Publishers separately. In my agreement with the Privy Council Committee, I was restricted to the transmission of four orders per year—to the Bookseller of the publications contained in their list, and also to their Book Agents, (Messieurs Longmans and Company), who were allowed five per cent. for executing their orders.

9. After conferring with the Secretary of the Privy Council Committee on Education, who entered fully into my views, I called personally upon the principal Publishers concerned, to ascertain whether they would execute my orders directly from Canada for their publications, upon the terms to which they had consented to supply our Schools, through the medium of the Privy Council Committee on Education. To my proposition all the Publishers to whom I applied both in England and Scotland, unanimously and readily assented,—having no wish that a London House should receive five per cent. for packing and forwarding their publications, and being also desirous of extending their business connections in Canada. By this arrangement I saved the five per cent., otherwise payable to the Messieurs Longmans on all publications procured through them: I was also able to extend the arrangement to other publications than the Text-books and Maps contained in the Privy Council Committee's list, and made it available for Maps and School Apparatus of every description, and to Books for Libraries,—for

* See pages 49, 50 of this Volume. The Replies of the Councils, being too Voluminous are not given, but they may be seen in the Appendices of the Journals of the House of Assembly.

which I selected specimens to the number of some two thousand volumes. But to accomplish all these objects I found required, as many months in England, as I had calculated weeks.*

10. After my return from England, I made arrangements with Publishers in New York, Philadelphia and Boston, similar to those which I had made with British Publishers, for procuring such School Maps and other School Requisites as I might require, and also Books for Libraries, selecting, as I did, about two thousand volumes as specimens.

11. As all the Publications included in these arrangements were to be paid for on the receipt of the Invoices from England, etcetera, and on the receipt of the Books themselves and other School material from the United States, and were to be disposed of to no other parties than Municipalities and School Authorities, and for school purposes alone, the Publishers agreed, of course, to supply them to our Schools below the ordinary wholesale prices.

12. Circular Number Nine and the detailed Statement Number Ten, in the Appendix to this Return, will show the nature of the publications which have been procured under these arrangements for Schools and the number of volumes on various subjects for School Libraries, —the number of volumes for the latter being two thousand, seven hundred and seventy six.

Origin of the Educational Depository and the Reason for its Establishment.‡

13. The result of all these arrangements is, that every description of the best School Maps, Apparatus and Text-books required for the Schools, and the Books for Libraries are, and will be, supplied to the remotest Municipalities in Upper Canada at lower prices than the same publications can be purchased by the public where they are printed, either in the United States, or in Great Britain.

14. As to the rule by which the prices of these publications are determined, inquiries were made of several parties in Toronto, as to the average expenses per cent. for Books, or Stationery imported from England and the United States; and a corresponding charge was added to the original cost prices of the publications in question. In case the expenses, are not at any time equal to the estimate made of them, the balance is added to the Depository Fund, the Accounts, in connection with which, are kept distinct from all other Accounts of the Department. Should this fund amount to about a thousand pounds, it would replace the advances temporarily made from the Library Appropriation.

15. It will be obvious to all persons who know anything of such matters, that these arrangements could not have been made except at the expense of much time and pains; nor can they be carried into effect without much additional responsibility and labour in the Department.

16. But, if the Department is made instrumental, not only for the administration of the School Law, but also in issuing an Educational Periodical and in procuring and supplying to all the Schools in the land, the latest and most approved Maps and School Apparatus and Requisites of every description and Books for Public Libraries, and all that at mere cost prices, its usefulness will be greatly increased beyond the estimate made at the time of its establishment.

17. I should be happy if the Government would appoint from time to time, fit and proper persons to inspect all the Books and Operations of my Department, as a protection to myself against unworthy calumnies, and a disinterested examination into the measures which I have

* All of these Letters, written when in England, are given herewith in the order mentioned in this Letter.

‡ The Educational Depository continued in successful operation for more than twenty-five years. In 1877 an elaborate financial Report of the operations of the Depository from 1850 to 1875 was made under the direction of the Honourable Adam Crooks, (the first Minister of Education,) by Mr. James Brown, an experienced Accountant. In his Report to Mr. Crooks, Mr. Brown said:

"I have examined all Books, Accounts and Papers necessary for obtaining complete information, and my work has been aided by the willing co-operation of Doctor Hodgins, Mr. Marling, and other Officers of the Department. I have thus been enabled to investigate with facility a large amount of work, involving the operations of the Depository from its origin in 1850, through twenty-five years of constantly increasing business, down to the end of the year 1875, and I am now enabled to present in the following statement, the actual result of these operations:—

"Abstract of the Educational Depository Accounts from 1850 to 1875.

"Total amount of legislative grants to the Depository for all purposes, viz.: (1) Purchase of stock, and (2) Salaries and the entire cost of management, etc., 1850 to 1875, inclusive ..	$811,523 72
"Total Value of Books, Maps and Apparatus despatched from the Depository, 1850 to 1875 inclusive	803,067 86
"Difference of Stock to be accounted for	8,455 86
"Net value of the Stock on hand at the end of 1875, after paying all expenses of management, etc	79,509 41
"Deduct the difference of Stock to be accounted for (as above)	8,455 86
"Grand Total of Profits made by the Depository, after paying all charges, as above, during the years 1850-1875	$71,054 55

adopted, and am pursuing with a view to improve the Public Schools and diffuse useful know ledge throughout the land.*

18. On account of the greatly increased and pressing duties of the Department during the last twelve months, I have not yet been able to examine and classify, and prepare proper Catalogues of the Books for Public Libraries,—a labour of several months, assuming that, on an average, one hundred volumes could be examined per week : but I hope to be able to do so in the course of the next six, or eight, months.

19. This is the first time that I have made a formal report of the measures I have adopted in regard to the several subjects involved in the Returns herewith transmitted. I had intended to defer them until my next Annual School Report, – by which time the arrangements in respect to Public Libraries will be finally completed and the Regulations adopted. But I trust this premature detail of them, which has been rendered necessary by the Returns required by the House of Assembly, will show, that, if, I have not personally reported on this voluntarily added Branch of my Department, I have done the best I could to promote it.

TORONTO, 28th November, 1852. EGERTON RYERSON.

MEMORANDUM OF THE DOCUMENTS ACCOMPANYING THE FOREGOING LETTER.

(NOTE. The following Accounts, mentioned below, and in detail are not inserted here, as they would occupy too much space, and as they are printed in the Appendices to the Journals of the House of Assembly for 1852, 53), which see.

I. Account in detail of the Receipts and Expenditure of the Normal and Model Schools for Upper Canada for the year 1851, including the Annual Grant of One Thousand, five hundred pounds, (£1,500), for current expenses, and the additional sum of One Thousand pounds, (£1,000), granted to facilitate the attendance of Student Teachers at the Normal School.—authorized by the Act of 1850: Thirteenth and Fourteenth Victoria, Chapter Forty-eight, Section Thirty-nine.

II. Account in detail of the Receipt and Expenditure of the *Journal of Education for Upper Canada*, since its establishment in 1848,—five years.

III. Account in detail of the Receipts and Expenditure of the sum of Two hundred pounds, (£200), (granted annually,) to procure Plans and Publications for the improvement of Schoo Architecture and Practical Science, in connection with the Common Schools in Upper Canada, as authorized by the Act of 1850 : Thirteenth and Fourteenth Victoria, Chapter Forty-eight, Section Forty-one."

IV. Account of the Receipt and Expenditure of the Fund appropriated for the establishment and support of School Libraries, Maps and School Requisites, in Upper Canada, as authorized by the Act, of 1850 : Thirteenth and Fourteenth Victoria, Chapter Forty-eight, Section Forty-one.

APPENDIX OF EXPLANATORY LETTERS AND DEPOSITORY STATEMENTS.

The Letters in this Appendix contain a full statement of the arrangements made in England and the United States by the Chief Superintendent for a Depository supply of suitable Books, Maps and other Requisites for the Schools of Upper Canada.

These arrangements were originally made with the Educational Committee of the English Privy Council. Afterwards more satisfactory arrangements, for the supply of these Books and Requisites, were subsequently made direct with the Publishers concerned ; and that system continued to be followed by the Department during the whole time that the Educational Depository was in operation, from 1850 to 1881, when it was discontinued by Order-in-Council.

Before establishing this Provincial Depository for the supply, to our Public and High Schools, of Books, Maps and various necessary Requistes, the Chief

* It was not until 1868 that this request of the Chief Superintendent of Education was granted. In that year, at the request of the Chief Superintendent, a Select Committee of twenty-three Members of the House of Assembly, (selected from both sides of the House), was appointed in November to make a thorough investigation into the working—especially of the financial operations—of the Education Department, including the Depository. A sub-committee, under the Chairmanship of the Honourable John McMurrich, was appointed to inquire into this matter. In their report they say :

"Your Committee find, that the system adopted by the Department is of so thorough and complete a character, that no funds can by any possibility be received without being checked by proper Officers, whose several duties require them to make entries in various books, through which every item can readily be traced.

"Your Committee have also made a thorough investigation of the Depository department, and find that the existing arrangements for purchasing stock are satisfactory and well fitted for securing the same on the most favourable terms. The mode of disposing of the Books, (and other Material in the Depository), is equally satisfactory."

Superintendent of Education discussed the subject with Members of the Government, and afterwards embodied the substance of his reasons for establishing and maintaining the Educational Depository, in a brief form as follows:—

1. He felt it to be practically useless to train Teachers in the best methods of imparting instruction, and in the use of Apparatus and other School Appliances in the Normal School and not then provide for them, when in charge of Schools, a constant and abundant supply of Maps, Apparatus, and other necessary Appliances for these Schools, at the very cheapest rates.

2. He held it to be equally necessary that the pupils, who had, acquired a taste for Reading and varied knowledge in the Schools, should have an equally abundant and perennial supply of the best and purest literature, as it issued from the press; otherwise they would be sure to procure reading matter, (often pernicious, of which he had painful proof), for themselves.

3. He could see no distinction, and, therefore, could not admit of any difference, in the principle of providing such a two-fold supply of School Material and Reading matter, and in that of providing Trained Teachers and skilled Inspectors at the expense of the Province, as well as a Parliamentary money bonus to aid in maintaining the Schools is in a state of efficiency.

4. He further felt that it was immaterial whether the money voted by Parliament was expended in one direction, or in the other, so long as, in each department of the System, the best interests and necessities of the Schools were consulted, and the symmetry and efficiency of the School System, as a whole were preserved and promoted.

5. He projected this plan of supply on a purely commercial basis, and so arranged and successfully carried out his scheme, that, while there was distributed about a million dollars' worth of School Material and Books, up to the time when the Depository was closed, by Order-in-Council, in 1881, it did not cost the Country one dollar for the expenses of its management, as it far more than paid its way, as the report of the skilled Accountant, employed by the first Minister of Education, (the Honourable Adam Crooks,) abundantly showed.

The first Letter in the Appendix to this Return relating to the Provincial Educational Depository was addressed to the Secretary of the Province on the 21st of September, 1850, and is given below.

A previous Letter to the Provincial Secretary, on the subject of School Libraries and their introduction into the Schools of Upper Canada,—written on the 16th of April, 1849—having remained unanswered, the Chief Superintendent, called the attention of the Government again to the subject, as intimated, in September, 1850, in the following Letter:—

I desire most respectfully, to solicit the attention of His Excellency the Governor-General-in-Council, to the Letter which I had the honour to address to you the Sixteenth of July, 1849 on the steps preparatory to the introduction of School Libraries in the several Counties'

Townships, Cities, Towns, and Villages of Upper Canada That Letter was printed as part of the Correspondence on the School Law of Upper Canada, laid before the Legislature at its last Session. I hereto annex a copy of it.*

2. I am fully satisfied of the propriety and practical character of the recommendations contained in the copy of my Letter of the 16th of April, 1849. During the last few weeks, I have attended at Philadelphia, a National Educational Convention, the object of which was the universal diffusion of thorough Christian Education throughout the several United States, embracing a consideration of the several Systems of Public Instruction and Educational Institutions, from Primary Schools up to the Universities, —their defects and the remedies for them.†

This Convention was attended by State Governors and State Superintendents of Schools, Presidents and Professors of Colleges, Educationists and distinguished Teachers, from the various States. In my intercourse with many of these Gentlemen of large experience in matters of popular education, I found, without exception, the most unreserved approval of the plan which I propose for the introduction of School Libraries into Upper Canada.

Evils to be Avoided in the Introduction of School Libraries into Upper Canada.

3. I was informed by several of these Gentlemen that the most serious drawback to the success of their System of School Libraries in the older States, is the heterogeneous collection of unsuitable Books which have been largely introduced into them, by the pressing competition of the rival Publishers, and itinerant Book Venders, in the absence of any disinterested and judicious State Board to select and recommend Library Books. Repeated attempts have been made in the States of Massachussetts and New York, to remedy this evil, which has brought discredit upon their Library System, and paralyzed it in many places ; but although the subject has been discussed in Books, Pamphlets, and Addresses, and pressed in Official Reports, the evil continues, from opposition made by the rival parties—Publisher and Booksellers—who are each interested in selling his own books and at as high prices as possible.‡ I am assurred, without exception, by these experienced American Educationists, that had they at the commencement of their State systems, adopted Regulations and Measures similar to those provided by law in Upper Canada, in regard to School, Text and Library books, the progress of their Schools and Libraries would have been much more rapid and satisfactory ; and some of them expressed the opinion that there was little hope of much improvement in their Common Schools, beyond the limits of Cities and Towns, until some such system as had been provided by law among us, should be adopted among them, in regard to Text and Library Books, and the Inspection of Schools. Indeed, one Gentleman, who has, for some time, been President of the Board of Education for the State of Michigan, and who devotes most of his time to delivering Educational Lectures throughout the State, applied and obtained from me, Documents that would enable him to prepare a Lecture on the system of Public Instruction in Upper Canada, which he intends to make the subject of one of the short course of four, or five, Lectures, which he is accustomed to deliver in each of the principal Towns in the State. The Connecticut State Superintendent of Schools, (the Honourable Henry Barnard, who has been an Educational State Officer for many years, has visited Upper Canada, and made himself familiar with our System and School Statistics,) stated on one occasion, that more progress has been made in Upper Canada, in the system of Common Schools, during the last five years, than in any State of the American Union, and that the new School Law, (of 1850,) in Upper Canada, was an improvement upon that of any of their States.

4. Such opinions from such quarters were not a little gratifying and encouraging to me ; and I found, by conversation with Booksellers, that the plan detailed in my Letter to you of the 16th of April, 1849, in regard to the mode of procuring and selecting Books for School Libraries will be found eminently economical and advantageous to our Local Councils, and to all engaged in the establishment of Public School Libraries.

5. I propose, during the next three, or four, months, to make the necessary tour and arrangements for carrying that plan into effect, and, therefore, pray that His Excellency will be pleased to order a Warrant for Five hundred pounds, (£500), to issue in my favour, to be expended and accounted for in the manner stated in my Letter of the 16th of April, 1849.

Toronto, 21st September, 1850. Egerton Ryerson.

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* This Letter is printed on page 221 of the Eighth Volume of this Documentary History.

† The following is a copy of the Letter addressed to the Chief Superintendent, asking him to attend this Convention.

At a Meeting of the Standing Committee of the "American Association for the Advancement of Education," held in the City of Newark, on the 27th Instant, on motion of the Right Reverend Bishop Alonzo Potter, it was,—

"*Resolved*, that the Reverend Egerton Ryerson be requested to prepare a Paper on the subject of "Uniformity in the items and forms of Reports by State and Local Superintendents and Committees," to be read at the next Annual Meeting of the Association, which will be held from the 10th to the 13th days of August.

Bloomfield, New Jersey, May the 23rd, 1852. R. L. Cooke, Secretary.

‡ The Chief Superintendent of Education had to contend against this very evil during the early Seventies, and until he retired from Office,—soon after which the Depository system was discontinued by Order-in-Council.

APPENDIX TO THIS DEPOSITORY RETURN, NUMBER TWO.

NOTE. The Letter in this Appendix is the one referred to in the preceeding Communication to the Secretary of the Province and is dated the 16th of April, 1849. It will be found on pages 221, 222 of the Eighth Volume of this Documentary History.

APPENDIX NUMBER THREE TO THIS DEPOSITORY RETURN.

The following is the copy of a Letter from the Secretary of the Province to the Chief Superintendent of Education for Upper Canada, concurring in the foregoing recommendations,—including those contained in the Chief Superintendent's Letter of the 16th of April, 1849.

I am commanded by the Governor General to inform you that His Excellency has had under his consideration, in Council, your Letters of the Sixteenth of July, 1849, and the Twenty-first instant, suggesting the propriety of your proceeding to Europe, for the purpose of making the necessary arrangements for the Establishment of School Libraries in the various Townships in Upper Canada, and requesting the issue of an accountable Warrant for the sum of Five hundred pounds, (£500,) for that purpose, to be charged on the Grant for establishing School Libraries in the various Townships of Upper Canada.

His Excellency has been pleased to direct the issue of a Warrant in your favour, for the above amount, and has also granted you leave of absence to proceed to Europe to make the arrangements contemplated in your Letter. His Excellency has also been pleased to authorize John George Hodgins, Esquire, to act as your Deputy during your absence.

TORONTO, September 27th, 1850. JAMES LESLIE, Secretary.

APPENDIX NUMBER FOUR TO THIS DEPOSITORY RETURN.

The following is the copy of a Letter from the Chief Superintendent of Education for Upper Canada, to Earl Grey, Her Majesty's Principal Secretary of State for the Colonies, soliciting the concurrence and aid of Her Majesty's Government, with a view to procure Publications and Maps in England upon the same terms as those sanctioned by the Privy Council Committee on Education.

I have the honour to submit to the favourable consideration of your Lordship, the advantage and importance of obtaining, by means of your Lordship's good offices, the sanction of the Lords of the Committee of Council on Education to an arrangement for supplying Schools in Upper Canada, through the Department of Public Instruction there, with Books, Maps, and Apparatus for Schools at the same prices at which Schools, aided by the Committee of Council in England, are supplied.

2. From Official Documents, with copies of which I have been favoured since my arrival in London, I learn that the Committee of Council on Education have adopted the same method, which the Government of Canada have authorized me to employ, for supplying Schools and Municipalities in Upper Canada with Books for Schools and Libraries To Anglicize our School System as much as possible in the Books used, the School Law of Upper Canada expressly provides ·

"That no foreign Book in the English branches of Education shall be used in any School without the express permission of the Council of Public Institution."

In the spirit of this legal provision, (for originating which I have been much censured by one section of the Canadian press), I have come to England, determined to leave no means unemployed to give effect to the design of the law, not merely by arbitrary authority alone, but by procuring and recommending better and cheaper English and Canadian Books than can be imported from the United States ; at least so far as it relates to Text Books, Maps and other Requisites in the Schools,—the publications which exert the most potent influence over the youthfnl mind and domestic associations of the Country.

3. In former years, Upper Canada was filled with objectionable American School Books, from the zeal of American Book-vendors,* and from the paucity of other good School Books ;

*For references to the pernicious influence on the public mind of a certain class of American Books and publications, see Notes on pages 110, 111 of the Seventh Volume of this Documentary History.

but during the last four years I have succeeded in reducing the use of American School Books in Upper Canada at least five hundred per cent., by means of procuring and recommending other good and cheap Books; and should the Lords of the Committee of Council on Education sanction the arrangement, which I now propose, I have strong confidence that we shall be able to supply our Schools with English Maps and Books in every branch of Elementary Instruction.

4. In the list of Books and Maps, sanctioned and provided by the Committee of Council on Education, are included all the School Publications we will require in our Schools, except some Prints and Books on Natural History, which I have arranged for obtaining on moderate terms from the Society for the Promotion of Christian Knowledge; and the prices which the Committee of Council on Education dispose of the publications recommended by them to the Managers of the Schools, aided out of the Parliamentary Grant, are lower than the prices at which I can procure them from the individual publishers themselves, apart from the trouble and expense and almost impossibility of treating and dealing with so many parties.

5. The publications procured for Canadian Schools, will be ordered by the Chief Superintendent of Education; the orders will not exceed four in any one year; and the publications will be paid for at the time of ordering them through the London Agents of the Bank of Upper Canada. All that I would presume to ask in the shape of a grant, is, that the Lords of the Committee of the Council on Education may be pleased to order a copy of each of the Publications on their list, as a specimen, for the use of the Department of Public Schools in Upper Canada, that I may be enabled to show to the Government there, that the application of a portion of our School Fund in procuring such Publications, upon such terms will be justified by good economy, as well as sound policy. I, therefore, submit the matter into the hands of your Lordship, and it will be to me a pleasurable duty to associate with your Lordship's name, and with Her Majesty's Government, an arrangement, the visible results of which will be exhibited on the walls and in the classes of every Village and country School in Upper Canada, and which will tend, not a little, to perpetuate and strengthen British associations and feelings in that Western and valuable portion of Her Majesty's Dominions.

London, December the 3rd, 1850. Egerton Ryerson.

Reply to the foregoing Letter by the Under Secretary of State for the Colonies:

I am directed by Earl Grey, to acknowledge the receipt of your Letter of the Third ultimo, expressing your wish to obtain the sanction of the Lords of the Committee of Council on Education, to an arrangement for supplying Schools in Upper Canada with Books, Maps, and School Requisites upon the same terms on which Schools in this Country, aided by the Committee of Council, are supplied.

In reply, I am to transmit to you a copy of a Letter from the Secretary to the Lords of the Committee of Council, to whom your application has been referred, and to state that, as soon as the answers to the Circular, which has been addressed by their Lordships to the Publishers, are received, a further Communication will be made to you.

London, 4th of January, 1851. Benjamin Hawes.

Appendix Number Six to this Depository Return.

Enclosure: Letter from the Secretary of the Privy Council Committee on Education, to the under Secretary of State for the Colonies, containing a Report upon the application of the Chief Superintendent of Education.

I have the honour to acknowledge the receipt of your Letter, dated the Tenth instant, in which, by direction of Earl Grey, you recommend the application of the Reverend Doctor Ryerson, Chief Superintendent of Education in Upper Canada, to obtain supplies of Books and Maps for the Schools in that Province, through the agency which the Education Committee of the Privy Council has provided for the supply of Schools under inspection in England and Wales. Their Lordships are desirous of meeting the wishes of Earl Grey, as far as may be in their power. I am, however, to make the following remarks;—

2. The terms upon which the various works named in their Lordship's Book Schedules, are supplied by the Publishers here, have been the subject of separate agreements, and part of the understanding into which the Committee entered with the Publishers, was to the effect, that orders for Books at the prices specified, should be issued by their Lordships on account of those Schools only which would be admissible to receive other assistance from the Education Grant. This Grant being applicable to Great Britain only, and not to the Colonies, My Lords cannot, under the existing agreements, carry Doctor Ryerson's proposals into effect. They will, however, issue a Circular to the Publishers, inquiring, whether they are willing that Doctor Ryer-

son's orders should be included in those issued to them by the Committee. (A copy of this Circular is enclosed.)

3. My Lords do not anticipate any objection on the part of the Publishers ; the increased sales at the reduced prices being likely to more than counterbalance the profits of the smaller sale at unreduced prices which it may supersede.

4. The collection and distribution of the works, from time to time, ordered by their Lordships, is managed by Messieurs Longman, as their Agent. For this service the Messieurs Longman receive an allowance of five per cent on the total value of the Books ordered. This percentage includes the cost of packing. but not the carriage, or delivery, which has to be defrayed by the persons receiving the Books The percentage for Agency is not charged to the promoters of Schools in England and Wales but is borne upon the Education Grant. In the case of Canada, however, (for the reason above stated,) a proportional part of this percentage according to the amount of the quarterly order, would have to be paid, as well as the value of the Books, by the Agents for the colony.

5. The orders from Canada would also have to be strictly limited to the number proposed, (four in the year,) in order not to increase materially the pressure upon that part of their Lordship's establishment, in which these Grants are administered, and which is not more than adequate to the existing calls upon it. It will be time, after receiving an answer from the Publishers, to fix upon an Correspondent in London, to whom the Books may be addressed.

6. A specimen copy of each Book and Map. upon their Lordship's Schedules, costs, in the whole, somewhat more than Forty pounds. Their Lordships would not be at liberty to make such a grant to Doctor Eyerson out of the Education Funds. Their Lordships do not keep any Depot of the Books named in their Schedules. They are ordered twice in every month, according to the demand, by their Agents from the several Publishers. The specimens, therefore, which Doctor Ryerson requires may be included in one of the orders from Canada . . .

London, December, 18th 1850. R. R. W. Lingen, Secretary.

Appendix Number Seven of this Depository Return.

Enclosure: Circular Letter from the Secretary of the Privy Council Committee on Education, to the Publishers of the works mentioned in the Schedules of the Committee on Education.

I beg leave to request your attention to the following extract from a Letter addressed by the Chief Superintendent of Education in the Province of Upper Canada, to the Right Honourable Earl Grey, the Secretary of State for the Colonies, and strongly recommended by his Lordship to the favourable attention of the Education Committee of the Privy Council.

2. I am directed by their Lordships to inquire, whether you are willing to supply the Canadian Schools upon the same terms as those under inspection in England and Wales, with such of your Publications as are named in their Lordship's Schedules.

3. In case, (as their Lordships hope,) you should consent to this proposal, I am to state, that the works needed for the Canadian Schools will be included in their Lordship's usual orders. . . .

My Lords would require a specific assurance from the Colonial Government that the works thus obtained should be supplied to the Canadian Schools at a price not exceeding that paid by their Lordships to the Publishers in this Country.

London, 18th December, 1850. R. R. W. Lingen, Secretary.

Appendix Number Eight of this Depository Return.

Note. The following Extracts from the Circular of the Secretary of the Privy Council Committee upon Education, to the Managers of Schools throughout England and Wales, explanatory of the principles upon which Books, Maps, and Publications, can be furnished to School Authorities in England by the Committee, is not inserted,—it being local in its application.

The result of the issue of this Circular was, that the Publishers in England and Scotland all consented to the arrangement proposed to them in it.

In referring to this Correspondence, in 1850, with Earl Grey, the Colonial Secretary, the Chief Superintendent, in his Special Report to the Provincial Secretary in 1858, on, (among other things) the subject of the Depository Supply of School Libraries and Requisites, thus proceeds:—

Having been introduced to the Principal Publishers in England and Scotland by the Colonial office, I sought to make arrangements with them to supply Books for Public Libraries in Canada upon the same terms as those upon which they had agreed to supply Text Books, Maps and other Requisites for Schools,—proposals to which they readily assented; and I found them much more anxious to execute my Orders directly, even for School Books, Maps and other Requisites than through the Committee of Council on Education, and their Agents, the Messieurs Longman, to whom they did not wish five per cent. to be paid as Commission on their Books.

On my suggestion, Mr. Lingen, Secretary to the Committee of Council, very readily agreed to be relieved from the trouble of executing my Orders for Books, while the five per cent. payable to the Messieurs Longman for their Agency was saved to Canada in the purchase of the Books and Maps.

I then agreed with each English and Scotch Publisher of the Books, Maps and Requisites, sanctioned by the Committee of Council to supply the Education Department of Upper Canada with his Publications upon the same terms as he did to the Education Department in England, and that directly, and as often as we might require them.

Appendix Number Nine of this Depository Return.

Note. This number of the Appendix to the Depository Return is among the Chief Superintendent's Circulars already printed in this Volume, pages 49-51.

Appendix Number Ten of this Depository Return.

This is a Statement, or Catalogue, in detail, shewing what Books, Maps, and other Requisites for Schools, or Teachers, have been purchased, or sold, by the Chief Superintendent of Education for Upper Canada, within the last three years, with their prices, descriptive notices, and other information relating thereto.

Prefatory Note. In this Catalogue are given the net prices for cash at which the Maps and School Requisites enumerated therein may be obtained by Public Educational Institutions, from the Depository connected with the Education Department for Upper Canada.

2. In transmitting an order for any of the articles for sale at the depository, care must be taken by School Trustees to accompany it with the amount which may be required to pay for the quantity ordered—and also to give directions as to the mode of transmitting those Articles to the parties sending the order. It will be observed, that the price of the Maps and Requisites, are much lower than they have ever been procured at in this Country, owing to the satisfactory arrangements which the Chief Superintendent of Education has been enabled to make in England. The terms are strictly cash in all cases. The sole object of the Department is to provide facilities for supplying the Public Schools of Upper Canada with approved Books, Maps, and Apparatus, at cost. . . .*

Appendix Number Eleven of this Depository Return.

Note. This Schedule shews the Number of Volumes of Specimen Books, (classified under twelve appropriate Heads), which were purchased, with a view to their examination and recommendation by the Council of Public Instruction for introduction into the School Libraries of Upper Canada. Total Number of Volumes purchased was 2,776.

* The remainder of this Appendix relates to certain Statutory duties of School Trustees, already printed in the School Act of 1850 in Volume Nine of this History, and is, therefore, not inserted here.

MEMORANDUM IN REGARD TO THE OPERATIONS OF THE PROVINCIAL DEPOSITORY UP TO THE TIME IT WAS DISCONTINUED IN 1881.

It is an appropriate place, at the end of this Return to the House of Assembly, detailing the steps which were taken to establish the Provincial Educational Depository, to give a brief resumé of its operations up to the time of its being finally discontinued by Order-in-Council in 1881.

Up to the end of 1881 there were, as near as can be ascertained, about Sixteen hundred School Libraries, supplied from the Educational Depository in Ontario.

The number of Volumes sent out from the Depository was as follows :

1. To the School Libraries, to which One hundred per cent. was added to their remittances		307,743
2. To Mechanics Institutes and Sunday Schools, at net prices		35,402
3. To Schools as Prize Books, to remittances from which One hundred per cent. was added		1,068,995
Total number of Volumes of Books circulated by the Department, 1853-1881		1,407,140
Value of the School Libraries supplied by the Department		$183,790
Of this sum there was remitted to the Department	$93.273	
Added from the Library Grants	90,517	
		$183,790
Net Profits made by the Depository, 1850-1875		$71,054

(See page 193 of this Chapter.)

NOTE. Up to the end of 1879 the Department made a grant of One hundred per cent. on all remittances from Trustees for Maps, Apparatus, Library and Prize Books. During 1880 and 1881 the grant was reduced to thirty-three and a third per cent.

APPENDIX NUMBER TWELVE TO THIS RETURN—BEING THE ORIGINAL PROSPECTUS OF THE JOURNAL OF EDUCATION FOR UPPER CANADA, FIRST ISSUED IN JANUARY, 1848.

The Chief Superintendent of Education for Upper Canada, in accordance with his prescribed duty ;

To employ all lawful means in his power to collect and diffuse information on the subject of Education, generally among the people of Upper Canada."

And, in order to supply, to some extent, one of the widely felt intellectual wants of the Country, proposes to establish, and to conduct gratuitously, assisted by Mr. J. George Hodgins, a monthly *Journal of Education* ; to be devoted, (1), to the exposition of every part of our School System ; (2), to the publication of Official Papers on the subjects of Schools ; (3), to the discussion of the various means of promoting the efficiency of Schools, and the duties of all classes of persons in respect to them ; (4), to accounts of Systems of Public Instruction in other Countries both European and American ; and (5), to the diffusion of information on the great work of Popular Education generally.

After much consulation on the subject, it is believed that a monthly, will be preferable to a semi-monthly, *Journal of Education*, the same amount of matter being contained in the latter, as had been proposed to be given in the former.

Terms, One dollar per annum, in all cases payable in advance. No subscription received for less than one year, commencing with each Volume.

District Superintendents, Clergymen, and others, friendly to the objects of the publication, are respectfully requested to act as our Agents, retaining one-tenth of the amount paid to them, in remuneration for their trouble. As the whole amount of subscriptions paid will be devoted to the support and improvement of the *Journal*, independent of Editorial management, it is hoped that no exertions will be spared in extending its circulation.

The Correspondence of some able and experienced Gentlemen has been promised, and that of others is requested.

In proceeding to issue the *Journal of Education*, we are not insensible to the pecuniary responsibility assumed ; nor to the delicacy, difficulty, and labour of the task undertaken. The moral and intellectual development of the Country, is the well-spring of its Agricultural, Commercial, Manufacturing, Mineral and Civil, development. A Country is great as it is educated and intelligent ; and it is happy, as it is Moral and Virtuous This two fold object is the noblest work of patriotism and benevolence. As an humble auxiliary in the promotion of such a work, we present this monthly Journal. Such a publication is a desideratum in Canada, and is demanded by the interests of Schools and the claims of general knowledge. We volunteer the labour and responsibility of its production, upon the double ground of its necessity, and of its importance, and the assurances we have received in various Districts in Upper Canada, that, in the event of our gratuitously undertaking so much, the friends of Education throughout the Province will cordially and efficiently co-operate. And, as every farthing of the subscriptions will be devoted to the mechanical execution of the work, the more numerous the subscriptions are, the more may the value of the publication be increased, both in the amount of matter, and in engravings of plans of School Houses, premises, and other matters.

The principle on which this Periodical is issued, and is proposed to be substained,—that of voluntary co-operation,—indicates the theory of the Educational System which it will seek to develop. In a free Country, like Canada, the people cannot be educated without their own consent and their own voluntary co-operation. This is the basis of our System of Public Elementary Education, it is the vital principle which connects and prevades all its parts, and it furnishes the only key to a correct explanation of its philosophy.

The Provincial School Grant and School Law are the voluntary creation of the Country, through its Legislative Representatives ; the School Assessment of each District is the voluntary creation of its inhabitants, through their Township Representatives in Council : the erection of every School House, and the employment and support of every Teacher, is the voluntary work of the inhabitants of each School Section, through their Trustee Representatives chosen by themselves. It is true, individuals may be compelled to support Schools, whether they desire to do so, or not ; but in a Country, where each individual's will is sovereign and supreme, there is no law, or government : there is no society : their is a state of nature. A State of civilization and Free Government supposes the subordination of individual will, in civil matters, to the will of Constituencies, whether they consist of the inhabitants of a School Section, or a Township, or County, or Province : as the inhabitants of any one of these Constituencies cannot act individually, even in employing a School Teacher : they elect certain persons to act for them, and are individually bound by the acts of their Representatives. Now the Executive Government itself, cannot establish even a Common School in the smallest of these Constituencies ;—only the people themselves, by their own chosen Representatives, can do it. A despotic School System supposes the power of the Government to act irresponsibly and independently of the people, in the establishment and management of Schools.

Our System is the reverse of that. The co-operation of the Government and people is, of course, essential to any System of Public Instruction in this or, in any free, Country : but the positive and acting power, in the application of our existing system, is with people themselves in their several localities. The government part of the system, is a power of motives, not of force. The Legislature in the School Grant, offers, through the Executive Government, an inducement to each District, through its Council, to promote Common School Education in such District ; and the Provincial Government and District Council, thus unitedly, present motives to the inhabitants of each School Division, through their own elected Trustees, to educate their own children. This compliance, or non-compliance, with the condition offered,—their yielding, or not yielding, to the motives presented is with themselves. The general Rules and Regulations for the Schools, are but guards against individual, or local, abuses of the Provincial and District School Fund : are aids to promote the benefits of its expenditure, and to supply the deficiency of local information ; and will become less and less necessary, in proportion to the advancement of school experience and general knowledge throughout the Country. The progress of the School System and the diffusion of knowledge will supersede the necessity of some provisions of the law, and create the necessity for new ones. Maturity in anything imparts a character of simplicity.

Such being, in brief, the theory of our Popular School System, the first requisite to its efficient operations, is information as to its general principle and various applications, and a just appreciation of its important objects. Anything new, however simple, is difficult. The Alphabet is difficult to a child, as a new language, or a new science, is difficult to a Student. It is so with our new School System, though simple in itself ; and though as easy as the Alphabet to those who have learned and practiced it in other Countries. To aid in supplying the information thus needed, and in creating and strengthening a conviction thus essential, is the fundamental object of the *Journal of Education for Upper Canada*.

Toronto, December, 1847. Egerton Ryerson.

EARLY PREPARATION OF THE CHIEF SUPERINTENDENT'S ANNUAL SCHOOL REPORT.

Another item in the Order of the House of Assembly, date the 30th of September, 1852, (see page 103 of this Volume,) was a request of the House that the Annual Report of the Chief Superintendent of Education, West, "be prepared before Nine Months of the following year had expired."

NOTE. An Answer was returned to this request. But, as the matter was of a temporary nature, that answer is not inserted here.

III. RETURN RELATING TO THE CHARTER OF TRINITY COLLEGE, 1852.

The following is a copy of the Correspondence furnished, in compliance with an Order of the House of Assembly, dated the thirty-first of August, 1852, asking for a "Return of all Correspondence between the Government of this Province and the Authorities of Trinity College, Toronto, in regard to a Royal Charter for the said College."

1. LETTER FROM THE RIGHT REVEREND DOCTOR STRACHAN TO LORD ELGIN.

1. It has been publicly stated, and I believe correctly, that the Victoria College has declined becoming attiliated with the University of Toronto, on the terms of surrendering the privilege which they enjoy under their Charter of conferring Degrees in the Arts and Sciences;—that the Methodist Conference, which governs the College, have passed a Resolution to that effect, and have determined to retain their Charter, and continue on their present footing.*

2. The only other College similarly situated,—namely, Queen's College,—has never, as I believe, shown any disposition to become attiliated with the University of Toronto.†

3. This being so, I am encouraged to believe that the time has now come when Your Excellency will feel yourself no longer called upon to interpose any obstacle to granting the reasonable request which the Members of the Church of England have preferred to Her Majesty's Government,‡ that they may be put on as favourable a footing as Methodists and Prebyterians in this Province, by being allowed to have a College supported by themselves, in which their youth can be educated, without reserve, according to the Doctrines of their Church, and which should enjoy the privileges of conferring Degrees in the Arts and Sciences.

4. The tenor of Your Excellency's Correspondence with the Secretary of State on the subject, which has been published,§ seems to warrant me in assuming that the negotiations with two other Colleges having terminated as I have stated; the remains no fair ground for desiring to oppose the extreme willingness of Her Majesty's Government, to deal as justly with the Members of the Church of England [in this Province] as with others.

5. I should have addressed Your Excellency earlier on this subject, but thought it best to defer it until Trinity College should be opened, and its Professor actually engaged in the discharge of their duties. This event occurred on Thursday, the Fifteenth ultimo;‖ and we have already between fifty and sixty students in the several Departments, of whom twenty are regularly matriculated and employed in a course of studies, which, when it is successfully prosecuted, ought, in fairness, to entitle them to the same advantages and honours as the youth belonging to other Denominations can obtain in their respective Colleges. I beg leave, therefore, to express my hope that Your Excellency will take such steps as may appear to you to be proper for facilitating the obtaining a Royal Charter to Trinity College, granting to it the privilege of conferring Degrees.

TORONTO, February 3rd 1852. JOHN TORONTO.

*This Statement, in regard to the attitude of the Authorities of Victoria College, is substantially correct. See the Address of the Visitors of the College on the subject on pages 151-154 of the Ninth Volume of this Documentary History. See also the Address of the Conference in Chapter XVII of this Volume.

†For the Proceedings of the Presbyterian Church (of Scotland) on this subject on pages 146-148 of the same Ninth Volume.

‡For the Correspondence on this subject, see pages 98, 112, 242, 244, 246, 248, 255, and 260 of the same Ninth Volume

§See Chapters VII and XXII of the Ninth Volume of this History.

‖For a record of the Proceedings of the Opening of Trinity College in January, 1852, See pages 61-70 of this Volume.

2. Reply to the Foregoing Letter by the Provincial Secretary

I am directed by the Governor General to acknowledge the receipt of Your Lordship's Letter to His Excellency of the Third ultimo, and to inform you that the subject of that Communication has engaged the best consideration of His Excellency and his Advisers.

2. From the tenor of the Correspondence which passed some time ago between Your Lordship and my Predecessor, in reference to the application addressed by you to Her Majesty's Imperial Government for a Royal Charter for Trinity College,* you are, no doubt, aware, that, while deprecating the multiplication of Colleges, having authority to grant Degrees in Arts in Upper Canada, at the present stage of its growth in wealth and population, as being likely to detract from the value of such Degrees, His Excellency has throughout held the opinion, that the policy of confining the privilege to a single Provincial Institution ought not to be pressed in such a manner, as to bear with unequal severity on any one Denomination of Christians in the Province.

3. Looking, then, to the amount of support which Your Lordship has met with in your zealous endeavours to establish a College in connection with the Church of England [in this Province], and to the reluctance evinced by other Denominational Colleges to surrender privileges conceded to them at a time when the Provincial University had a more exclusive character than it now possess, His Excellency considers that it would not be advisable that this Government should any longer insist on the objections to the issue or a Royal Charter in favour of Trinity College, which it felt it a duty to raise at an earlier period.

4. I am to add that His Excellency will transmit to the Secretary of State by the next mail a copy of this Letter, and of the Communication from Your Lordship, to which it is a reply.

Quebec, March 1st, 1852. A. N. Morin, Secretary.

3. Letter of the Provincial Secretary to the Right Reverend Bishop Strachan.

With reference to my Letter of this day's date, on the subject of a Royal Charter for Trinity College, I have the honour to state, that His Excellency is advised that there is a discrepancy between the Draft Charter submitted to Your Lordship and the Act incorporating the College, passed during the last Session of the Provincial Legislature, inasmuch as the latter limits the property which the Corporation can hold to Five thousand pounds (£5,000), Currency per annum, while the former limits it to Fifteen thousand pounds (£15,000) Sterling.**

His Excellency will feel it to be his duty to call Earl Grey's attention to this circumstance, in order that the Royal Charter may be made to harmonize in this particular with the Provincial Act in Question.

Quebec, March 1st, 1852. A. N. Morin, Secretary.

Note. The words of limitation in the value of property, which the Act of Incorporation of Trinity College, passed by Legislature of Canada, in August, 1851, authorized the Corporation of that College to hold, will be found on page 249 of the Ninth Volume of this Documentary History. The revised Draft of a Charter for Trinity College which Doctor Strachan submitted to the Governor-General in February, 1851, for the approval of Her Majesty and the Imperial Government, provided that the College might hold property to the value of Fifteen thousand pounds, (£15,000) Sterling. See page 260 of the same Ninth Volume.

4. Reply to the Two Foregoing Letters by Bishop Strachan.

I have the honour to acknowledge your two Letters of the First instant, which I had much pleasure in communicating to the Council of Trinity College.

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* See Chaper VI and XXIII of the preceding Ninth Volume of this Documentary History.

**This Draft of Charter of Trinity College now sent to Lord Elgin, was the third revised Draft of that Charter which Bishop Strachan submitted to the Governor-General for transmission to England. The first of these Draft Charters will be found on pages 99-102 of the Ninth Volume of this Documentary History; the second Draft is printed on pages 260-262 of the same ninth volume; the third Draft is not available; but it is no doubt in substance, if not entirely, the same as was the Charter, as granted by Her Majesty the Queen, "in the sixteenth year" of Her Reign—1853. That Charter, as thus granted, will be found in the educational records of 1853, as printed in a subsequent part of this Volume.

2. The course which His Excellency has now taken will, I trust, remove any difficulty in the way of our obtaining the desired privilege of conferring Degrees.

3. There can be no room for any question about the limitation of property to be held, because the Act of the Legislature which has been passed since the Draft of the proposed Charter was submitted by me, is what must now govern in that respect, and for any alteration upon that point which may seem necessary, we must depend upon the Legislature. At present the restriction will occasion no inconvenience.

4. On comparing the Draft of a Charter which I had formerly prepared with the Act of the Legislature: Fourteenth and Fifteenth Victoria, Chapter Thirty-two, since passed, (in August, 1851), I find the latter has supplied all that is necessary for the Government of the College, by the authority which it gives the Council, and that the Charter which we now desire may be confined to the single object of enabling the College to confer Degrees.

5. I have taken the provisions for that purpose from the precedent of King's College Charter, which will be found recited in the Statute Book of Upper Canada, Seventh William Fourth, Chapter Sixteen.*

6. And I now beg leave to transmit for His Excellency's perusal, the Draft of the Charter which we solicit, accompanied by a short explanation, a Petition to Our Most Gracious Sovereign the Queen, and a Letter to Her Majesty's Secretary of State for the Colonies, with such other documents as may give a full elucidation of the subject; all which I take the liberty of requesting may be forwarded to England.

TORONTO, March 25th, 1852. JOHN TORONTO.

5. LETTER FROM THE MILITARY SECRETARY OF LORD ELGIN TO BISHOP STRACHAN.

I am directed by the Governor General to inform you, that His Excellency has received a Communication from Sir John Packington, Her Majesty's Secretary of State for the Colonies, acknowledging the receipt of a Despatch, in which His Excellency states :—

"That looking to the amount of support which the Bishop of Toronto has met, in his endeavours to establish a College in connection with the Church of England [in Upper Canada], and to other circumstances, the Canadian Government do not deem it advisable to offer further opposition to the grant of the Royal Charter in favour of Trinity University."

Sir John Pakington proceeds to observe :—

"In accordance with these views, the necessary steps for preparing the Charter will be taken; but some person in this Country should be deputed to superintend its progress, and to defray the expenses attending the passing of this Instrument. On this point, I would suggest that your Lordship would confer with the Bishop of Toronto."

His Excellency desires me to state that, in compliance with the above intimation, he will be happy to communicate to the Secretary of State for the Colonies the name of any Individual, whom Your Lordship may designate for this service.

QUEBEC, April 23rd, 1852. ROBERT BRUCE, Military Secretary.

6. REPLY OF BISHOP STRACHAN TO THE FOREGOING LETTER.

I have the honour to acknowledge your Letter of the Twenty-third instant, and to tender my best thanks to His Excellency, the Governor General, for the communication of His Correspondence with Sir John Pakington, Her Majesty's Principal Secretary of State for the Colonies, on the subject of granting a Royal Charter to Trinity College.

2. I am grateful to my Lord Elgin for his further kindness in proposing to recommend to the Secretary of State the name of any Individual I might designate to defray the expenses, and attend to the passing of the Instrument.

3. I hasten to avail myself of this condescending offer, and beg leave to name the Reverend Ernest Hawkins, B. D., Secretary of the Society for the Propagation of the Gospel in Foreign Parts, whom I shall enable to discharge this important duty.

4. On the Twenty-fifth ultimo, I had the honour to transmit to the Honourable Mr. Provincial Secretary Morin, for the information of His Excellency the Governor General, a fresh draft of the Royal Charter, which we solicit, as being more in accordance with Provincial Statute (of August, 1851) to Incorporate Trinity College, (now the Law of the Land), than the former Draft submitted to Government in February, 1851, before that Statute was passed.**

*The original Charter of King's College, with emdations by Bishop Strachan, is printed on pages 222-225 of the First Volume of this Documentary History. The Act, to which the Bishop refers, is printed on pages 88-89 of the Third Volume of this History. **This third Draft of Charter is not available; see Note on the preceding page.

5. I venture in the same Letter to request that, should His Excellency see no objection to the Draft thus altered to harmonize with the Provincial Statute, he would be pleased to forward the same, with the Documents with which it was accompanied, to Her Majesty's Principal Secretary of State for the Colonies.

6. May I beg of you the favour of informing me whether the Draft and the Documents have been received and forwarded to England, as I have not heard from the Honourable Mr. Morin of their arrival, and feel somewhat anxious on the subject.

TORONTO, April 29th, 1852. JOHN TORONTO.

7. REPLY OF THE MILITARY SECRETARY OF THE GOVERNOR-GENERAL TO THE FOREGOING LETTER.

I am directed by the Governor-General to state, in reply to your Letter to me of the Twenty-ninth ultimo, that His Excellency forwarded to Her Majesty's Secretary of State, without delay, the Documents transmitted by Your Lordship through Mr. Morin, for that purpose, under date of the Twenty-fifth of March.

I am to add that His Excellency will, by the next mail, apprize Sir John Pakington, the Colonial Secretary, that the Reverend Ernest Hawkins is deputed to superintend the progress of the Charter, and to defray the expenses attending the passing of the Instrument.

QUEBEC, May 5th, 1852. ROBERT BRUCE, Military Secretary.

8. LETTER OF THE A.D.C. TO THE GOVERNOR-GENERAL TO BISHOP STRACHAN.

I am directed by the Governor General to inform you, that His Excellency has received a despatch from Sir John Pakington, Her Majesty's Secretary of State for the Colonies, acknowledging the receipt of a Letter addressed to him by Your Lordship, covering a Draft Charter for Trinity College, together with a Petition to the Queen from the Corporation of the College, praying that the right of granting Degrees in the Arts and Faculties may be conferred upon that Body.*

2. Sir John Pakington instructs His Excellency to inform you, that the Charter is in course of preparation, and to acquaint the Petitioners that, as the Instrument containing a provision for granting Degrees in Arts and Faculties has obtained His Excellency's sanction, which he assumes to be the case, from the Correspondence which has passed between His Excellency and Your Lordship, and from the fact in forwarding the Draft, His Excellency has not raised any objection to it in its present state, the wishes they have expressed upon the subject will be complied with.

QUEBEC, June, 1852. AUGUSTUS J. HAMILTON, Captain 71st Regiment and A.D.C.

IV. SUPPLEMENTARY RETURN IN REGARD TO THE UNIVERSITY ACCOUNTS.

The following is the Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated June 16th, 1851; asking for "Copies of all Reports made in Duplicate to His Excellency by the Endowment Board of the University of Toronto, and of Upper Canada College and Grammar School and by the Auditors of Accounts of those Institutions, in compliance with the Provisions contained in Sections 22 and 23, and 59 and 60; of the University Act of 1849: also, Copies of all Annual Reports made by the Principal of Upper Canada College and the Royal Grammar School, shewing their condition and progress, under authority of Section Fifty-five of said Act, or such of said copies of Reports as may have been received by the Government."

REPORT OF THE AUDITORS OF THE ACCOUNTS OF THE UNIVERSITY OF TORONTO AND OF UPPER CANADA COLLEGE, 1850.

The undersigned, Auditors appointed pursuant to the Twenty-third Section of the University Act of 1849, beg leave most respectfully to present to the Senate of the University of Toronto, this their first Report, being for the fiscal year ending December 31st, 1850.

2. At the commencement of their labours, the Auditors adopted as data the Balance of Cash in hand on the 1st January, 1850, as shown by the Bursar's Cash Book, confirmed by his first Quarterly Account for that Year, and received by the Senate. The counterparts of the Receipts granted by the Bursar for moneys received by him form the basis of all the Annual Accounts, and from which each item has been traced to the Cash Book; thence to the credit of its own individual Account in the Sales and Rent Ledgers, the Private Account Ledger, and Abstract Books; and, finally, particular attention was given to ascertain if the various amounts received had been properly appropriated to the respective funds denominated by the University Act of 1849 (Sections 38 and 39,) the "University Investment Fund," and the "University Income Fund." In the same manner, all the Receipts and Vouchers for Cash payments made by the Bursar, have been carefully examined and compared, and each item followed to its respective Account. The result of a close and searching investigation has been, that, with the exception of two or three trifling errors, rectified as soon as discovered, the whole bears the impression of attention and correctness.

3. Accompanying this Report will be found a Statement of the Annual Accounts for 1850 Number One shows the amount of Cash received on account of Sales of Land and of Investments redeemed; also, the amount invested in Provincial Debentures and expended on the Medical Building erected on the University Grounds; leaving a balance of £2,504, 0s. 8d.; ($10,016.13); to this the surplus of the Income Fund, £1,905, 14s. 10½d., ($7,622.95), has been added, in accordance with the provisions of the University Act, thus leaving the sum of £4,409 15s. 6½d. ($17,639.12), to be invested; this latter amount, with the sum of £4,535 8s. 1½d. ($17,141.63), Cash, remaining in the Bank of Upper Canada to the credit of the University, on December 31st, 1850. Number Two is a detailed Statement of moneys received and disbursed on account of the Income Fund for the year 1850. Number Three is an account of the Receipts and Appropriation of Moneys deposited with the Bursar during the year. Number Four is a summary of the preceeding Accounts.*

4. In the course of their proceedings, the Auditors have been informed that the Board of Endowment intends following the recommendation of the late Commission of Inquiry, by opening an entire new set of Books, to date from the first of January 1850;† the entries to be made in accordance with the usual mercantile method. Feeling, as the Auditors do, that the system hitherto pursued has been productive of much inconvenience and delay, they conceive that they would be wanting in their duty, if they omitted urging upon the Senate, that no time should be lost in carrying out this object; for, as in the new Books, more than two years transactions will have to be recorded, each day's business must necessarily add to the labours of the Book-keeper, whose undivided attention will be required for some considerable time to enable him to bring up the arrears.

5. The Auditors further recommend, that the Bank be required to receive regularly, and pass to the credit of the University, all Interest on Debentures as it falls due, and that a Statement be furnished to the Bursar of the Interest on each particular Debenture, when received.

6. In conclusion, the Auditors beg to remark, that they have endeavoured diligently and faithfully to discharge the duties required of them by the University Act of 1849, under which their appointment was made, and they trust that their efforts will meet with the approbation of the Senate.

TORONTO, March 24th, 1852. THOMAS P. ROBARTS, J. W. BRENT } University Auditors.

CHAPTER XV.

PROCEEDINGS OF THE SENATE OF THE UNIVERSITY OF TORONTO, 1852.‡

January 3rd, 1852. Read a Letter from the Chairman of the Board of Endowment to the Vice-Chancellor, dated the 20th ultimo, transmitting a Letter from Mr. James Nation, Clerk in the University Office, dated the 18th ultimo, together with a Statement of the Annual Income of the University for the years 1850, 1851 and 1852 as follows:

* These Accounts are too Voluminous to be inserted. They can be seen in the Appendices of the Journals of the House of Assembly for 1852, 1853.

†See the Report of the Commissioners of Inquiry into the Affairs of King's College, on pages 141-145 of the Ninth Volume of this Documentary History.

‡Only items of public, or general, interest, in the Proceedings of the Senate, are noted in this Chapter.

ANNUAL INCOME OF THE UNIVERSITY OF TORONTO, 1850-1852.

ITEMS OF ANNUAL INCOME.	For 1850.			For 1851.			For 1852.		
	£	s.	d.	£	s.	d.	£	s	d.
From Rents of Leased Lots	1,914	15	....	2,050	18	....	2,076	14	....
From Rents of property purchased	710	....	....	710	....	....	710	....	....
From Interest on Mortgages	434	8	9	434	8	9	434	8	9
From Interest on Promissory Notes	176	8	5	185	4	10	150	....	....
From Fees and Dues	209	6	3	40	6	10	40	....	....
From Interest on Bank Balance	166	2	11	150	....	....	150	....	....
From Dividends on Bank Stock	13	15	....	19	....	....	20	....	....
From Interest on Debentures	1,800	....	....	2,220	....	....	2,340	....	....
From Fees on Legal Instruments issued	5	5	....	115	....	....	115	....	....
From Rent of Leased Lots, not included in first Item. Probable amount	....	....	....	....	....	....	500	....	....
Interest on purchase money unpaid	2,142	3	6	2,192	4	2	2,319	11	9
From Incidentals	....	....	....	....	....	....	5	....	....
Totals for each year £	7,572	4	10	8,117	4	7	8,907	14	6

	£.	s.	d.
Add Interest omitted on Purchase Money	313	16	9
Total Income for 1852 :	9,221	11	3

The President, seconded by Professor Doctor Lucius O'Brien, moved, that the Communication of the Chairman of the Endowment Board of the 20th ultimo, with the accompanying Document be referred to a Committee, consisting of the Vice-Chancellor, the Dean of the Faculty of Medicine, the Dean of the Faculty of Arts, and Professor Doctor William B. Nicol.

January 17th, 1852.—Read a Letter from the Provincial Secretary to the Secretary to the Senate, dated the 7th instant, transmitting, for the information of the Senate, copies of all Reports made to the Government by the Commission of Visitation of the University of Toronto.

Read a Letter from the Chairman of the Board of Endowment, to the Secretary to the Senate, dated the 16th instant, transmitting, for the information of the Senate, a copy of a Letter from the Principal of Upper Canada College, on the subject of the removal of the Endowment Board Office, together with a Minute of College Council, authorizing the sale to the University of a Lot of Land on the corner of Church and Adelaide Streets for the erection of an Endowment Office, for the sum of Twelve hundred pounds, (£1,200.)

The further consideration of the Report of the Caput, relative to the Chair of Agriculture, which was laid before the Senate on the 15th of November, 1851, (page 282 of the Ninth Volume of this Documentary History), was entered upon. On motion of Professor Doctor James H. Richardson, seconded by Professor Doctor Lucius O'Brien, it was,—

Resolved, That the Senate approve of, and adopt, the Report of the Caput upon the Chair of Agriculture, as far as relates to the comparative merits of the two Candidates named. To avoid any misunderstanding, however, which might arise from the fact that the Testimonials of One of the Candidates were not duly certified, the Senate hereby state that their opinion as to the comparative merits and qualifications of the Candidates has been formed without their entertaining any doubt as to the authenticity of any of the Testimonials which have been submitted for the Chair. (*Carried.*)

The President, seconded by Professor Doctor Lucius O'Brien, moved, that the Secretary be instructed to transmit to the Provincial Secretary, pursuant to section Twenty-four of the University Act of 1849 : 12th Victoria, Chapter 82, a copy of the Report of the Caput, relative to the Chair of Agriculture, with the Testimonials of the Candidates; and, also a copy of the (foregoing) Resolution of the Senate having reference thereto. (*Carried.*)

January 24th, 1852.—Read the Report of the Caput, (which was laid before the Senate in November, 1851,) relative to the Chair of Civil Engineering, which, with the Testimonials of the several Candidates for the Chair . . .

January 30th, 1852. The motion of Professor Doctor Skeffington Connor, which was seconded by the Reverend Doctor Michael Willis, for the adoption of the Report of the Committee on the Statute for the reduction of fees in the Faculties of Law and Arts, was read, and which, after amendment, was carried.

January 31st, 1852. The Members present were not sufficient to constitute a Quorum.

February 7th, 1852. Read the Report of the Committee, to whom had been referred the subject of increased accomodation for the use of the Endowment Office, together with the Reports of the Sub-Committee appointed to make inquiries as to suitable premises for such an Office.

The President, seconded by Doctor J. J. Hayes, moved that the President, as Librarian, be authorized to hand over to the Endowment Board the Books formerly presented as a Gift to the University of King's College by the Society for Promoting Christian Knowledge, with a view to their being delivered up to the Applicant who may be entitled to receive the same, under Section 81 of the University Act of 1849 : 12th Victoria, Chapter 82.* (*Carried.*)

The President, seconded by Doctor J. J. Hayes, moved that the Secretary be instructed to enter on the Minutes of the Senate Copies of the Quarterly Returns submitted by the Board of Endowment and that he also communicate to the Endowment Board the desire of the Senate, that the Annual Reports, in the form prepared by the late Bursar, during his occupancy of the Office, shall be continued. (*Carried.*)

Doctor J. J. Hayes, seconded by Mr. John G. Bowes, moved, that the following Gentlemen, videlicet, the Reverend Doctor Egerton Ryerson, the Reverend Doctor Michael Willis and Doctor J. J. Hayes, be a Committee to inquire into, and Report upon, the Salaries and Duties of the Professors in the University of Toronto. (*Carried.*)

February 14th, 1852. Read a Letter from the Provincial Secretary to the Secretary to the Senate, dated the Second instant, acknowledging the Receipt of a Copy of the Report of the Caput of the University of Toronto, relative to the Chair of Agriculture, with the Testimonials of the two candidates for that Chair, and a Copy of a Resolution of the Senate of the University passed at a special Meeting held on the 17th ultimo, and stating for the information of the Senate, that he had submitted the same to the Governor-General, and that His Excellency, on consideration thereof, had been pleased to appoint Mr. George Buckland to fill the Chair in in question ; and transmitting the Warrant of Appointment to that Chair, as also the Testimonials of the Candidates.

Read a Letter from Professor Doctor John King to the Secretary to the Senate, dated the 12th instant, enclosing, for the information of the Senate, a Memorial, setting forth certain claims of his for compensation for services rendered, and praying the Senate to take the same into consideration.

Professor Doctor George Herrick, seconded by Mr. John G. Bowes, moved that the following Gentlemen be a special Committee to examine and Report to this Senate on the claims preferred by Professor Doctor John King for compensation for services rendered, as such Professor, to this University, namely, Mr. Joseph C. Morrison, the Reverend Doctor James Beaven, the Reverend Doctor Michael Willis and Doctor J. J. Hayes. (*Carried.*)

The Reverend Doctor Michael Willis, seconded by Professor Doctor Lucius O'Brien, moved that the said proposed Statute be submitted to the consideration of a Committee consisting of the Reverend Doctor Willis, the Reverend Doctor McCaul, Professors Doctor George Herrick, Doctor Skeffington Connor and Professor Doctor James H Richardson, the Reverend Adam Lillie, Mr. Joseph C. Morrison and Doctor J. J. Hayes, to report thereon at an early date. (*Carried.*)

February 21st, 1852. The Members present were not sufficient to constitute a Quorum.

February 28th, 1852. The Members present were not sufficient to constitute a Quorum.

March 6th, 1852. Read a Letter from the Chairman of the Endowment Board to the Secretary to the Senate, dated 2nd instant, transmitting, for the information of the Senate, a copy of a Letter from the Provincial Secretary on the subject of a Memorial to His Excellency the Governor General from Doctor Joseph Workman for compensation for services rendered as one of the Commissioners of Inquiry into the Affairs of King's College.

Read a Letter from the Reverend John W. Small to the Chancellor and Senate of the University, dated 3rd instant, applying for the office of Librarian.

The President, seconded by Mr. Joseph C. Morrison, moved, that the Letter of the Provincial Secretary, relative to Doctor Joseph Workman's Memorial, be referred to the Committee appointed to examine the documents on the subject, with instructions to report thereon

* The application of the transference of these Books from the University of Toronto Library to that of Trinity College was made in January, 1852, by Bishop Strachan. See pages 71, 72 of this Volume.

with as little delay as possible, with a view to the immediate settlement of the claims preferred. (*Carried.*)

March 13th, 1852. Read a Letter from the Chairman of the Endowment Board to the Secretary to the Senate, transmitting, for the information of the Senate, the Returns for the Quarters ending September 30th and December 31st, 1851. In conformity with the University Act of 1849 : 12th Victoria, Chapter 82, Section 22, and the Statute of the University, Number 10, Section Five.

Mr. Joseph C. Morrison, seconded by the Reverend Doctor Michael Willis, moved, that the Caput be requested to transmit to the Senate the names, applications and Testimonials, of any person, or persons, who may have been a Candidate, or Candidates, since the date of their Report upon the Chair of Civil Engineering, and to state the peculiar circumstances, if any attending such application, and also whether it is the intention of the Caput to make any supplemental Report on the subject ; and if it is not their intention so to do, then to state the reasons of the Caput for not so doing ; and, also, they will be pleased to state, whether, in the event of the said names, or Testimonals, of any of them, being received, or suggested, previous to the date of their Report, they would, in such case, have reported the name, or names, of any such Candidate to the Senate, either under the Twenty-fourth Section of the University Act of 1849, or under the University Amendment Act of 1850. (*Carried.*)

March 20th, 1852. Read a Letter from the President of the University, in behalf of the Caput, dated the 20th instant, in reply to one from the Secretary to the Senate of the 18th instant, and transmitting, for the information of the Senate, the applications and Testimonials of Mr. Fredrick W. Cumberland, a new candidate for the Chair of Civil Engineering : the legal opinions of the Honourable Robert Baldwin, the Honourable J. Hillyard Cameron and of Doctor Skeffington Connor, Solicitor to the University ; and a Letter addressed to the Caput by Mr. William Armstrong, one of the Candidates for the said Chair, protesting against the admission by the Caput of Mr. Cumberland's papers.

Read the following Letter from Professor Doctor Lucius O'Brien to the Vice-Chancellor, dated the 16th instant, applying for the office of Librarian to the University, in addition to the one he now holds as one of the Medical Professors. The Letter was as follows :

I beg, through you, to intimate to the Senate, that, if it shall be deemed expedient to appoint a Librarian to the University, I shall be very glad to receive the appointment, in addition to the Professorship, I have the honour to hold,

It may be said, that this application is premature ; but I beg leave to observe, that I should not have made it until the Senate had come to some resolution on the subject, had not an application for the office been already made by a gentleman altogether unconnected with the University.

It is several years since I intimated to the President my strong desire to obtain this Librarianship ; and this I expressed repeatedly, even as lately as the close of 1849 and the beginning of 1850. In consequence of having done so, I have always carefully avoided all allusion to the Library, to other Members of the Senate, lest, through any misapprehension, I might be supposed to be actuated solely with a view to my individual interest. But, as the subject has since been brought forward by other parties, without the slightest communication with me, I feel that I am perfectly justified in now making this application for an appointment which I have long desired.

I would not seek for this office, if I were not perfectly satisfied, that the duties of the two situations are fully compatible with each other, while I am equally convinced that they are sufficient to occupy the full time and undivided attention of any one individual.

The Salary which must be accorded to a Librarian, even if small, compared to the duties of the situation, would, in addition to that of my Professorship, enable me to devote the whole of my time to the service of the University, and release me from the fatigue and anxieties attending professional practice, which I would willingly resign for an emolument which would be certain, even though for less in actual pecuniary amount.

I trust I need say but little as to my qualifications for the Librarianship. A liberal education, a fondness for literary pursuits, a natural disposition to order and arrangement, together with my mind having been long turned to the important duties of the office which I now seek, will probably be some guarantee that the interests of the University will not suffer, should the Senate be pleased to accede to my request.

Toronto, March 16th, 1852. Lucius O'Brien.

Mr. Joseph C. Morrison, seconded by the Reverend Doctor Michael Willis, moved that the case prepared on behalf of the Caput for the opinions of Counsel as to the Power of the Caput to make a Supplemental Report and otherwise referable to their Powers, with regard to the reporting on the names of Candidates for Chairs in this University, with any other points, which may be suggested by the Solicitor, as to the Powers of the Senate, or Caput, be referred to the Crown Officers for their joint opinion. (*Carried.*)

The Statute to determine the Bursar's Salary was read a second time ; whereupon, after discussion, Professor Doctor James H. Richardson, seconded by Professor W. C. Gwynne, moved, that the said statute be referred to a Committee, composed of the following Gentleman, namely, Doctor J. J. Hayes, the Dean of the Faculty of Medicine, the Reverend Doctor Egerton Ryerson, the Reverend Adam Lillie and the mover. (*Carried.*)

March 27th, 1852. The Members present were not sufficient to constitute a Quorum.

April 3rd, 1852. Doctor J. J. Hayes presented a Report from the Committee appointed to consider the subject of the payment of the Commissioners of Inquiry as follows :

The Committee on affairs of Commissioners of Inquiry desire to report to the Senate on the subject, as follows :—That we recommend to the Senate to direct the payment of the Commissioners for their actual sittings, as Commissioners, at the rate of Five dollars per diem, and that the question of compensation for sittings, at which only one Member attended, be referred to the Endowment Board for final settlement.

TORONTO, 27th March, 1852. JAS. JNO. HAYES, Chairman.

Thereupon, Doctor Hayes, seconded by Mr. John G. Bowes, moved that the foregoing Report of the Committee on the payment of the Commissioners of Inquiry into the Affairs of King's College be adopted, and referred to the Endowment Board for final settlement. (*Carried.*)

The Statute for the appropriation of money from the Botanic Garden was read a second time and adopted.

April 21st., 1852. The Members present were not sufficient to constitute a Quorum.

April 28th., 1852. The Members present were not sufficient to constitute a Quorum.

May 5th., 1852. Read a Letter from the Chairman of the Board of Endowment to the Secretary to the Senate, dated the 6th. ultimo, transmitting an Extract from the Minutes of the Board, being part of an Order of the Board, on the subject of the final settlement of the claims of the Commission of Inquiry into the affairs of King's College, as follows :

EXTRACT. With reference to the paymant to the Commissioners of Inquiry into the affairs of King's College, for the visits made by them individually, for which they cannot charge as at Meetings it was,—

Ordered that the Senate be requested to pass a Statute, authorizing the Endowment Board to pay the Commissioners at the rate of Fifteen Shillings for each personal visit, the Resolution of the Senate, under consideration, not conferring the necessary powers upon the Board :

The Endowment Board make this recommendation to pay for said visits at the above rate, because it appears to them the visits of the Commissioners saved the necessity of holding regular Meetings, which would have been much more expensive.

TORONTO, 5th of April, 1852. DAVID BUCHAN, Chairman.

Read a Letter from the Chairman of the Board of Endowment, dated the 1st instant, transmitting an application from the Board of Trustees of Common Schools in Port Hope, for a Grant of Lot Number Thirteen on the West side of Elgin street, and the North side of McCaul Street, for the erection of a Brick School House ; together with an extract from the Minutes of the Endowment Board of the 29th ultimo, recommending the application to the favourable consideration of the Senate.

May 12th., 1852. Read a Letter from Doctor Skeffington Connor, Solicitor to the University, dated the 12th instant, enclosing the Opinion of the Attorney General, on a case submitted, as to the Power of the Caput to make a Supplemental Report of Candidates for Chairs, after the expiration of the time mentioned in the Advertisement, and after their Report had been sent to the Senate for consideration.

(*Note.*—A copy of this Opinion in not available.)

Read the ammended Report of the Committee, to whom had been referred the consideration of the Claims of Professor Doctor John King for compensation for services rendered and unremunerated. Professor Doctor Lucius O'Brien, seconded by Doctor J. J. Hayes, moved that the Report of the Committee on Professor Doctor John King's claim be adopted. (*Carried.*)

Professor Doctor Lucius O'Brien, seconded by Professor Doctor W. B. Nicol, and it was,—

Resolved that it is the opinion of the Senate that interest on the sum of One hundred and twenty-five pounds, (£125,) Sterling, reported as equitably due to Professor Doctor John King is also equitably due to him from the 24th day of September, 1843 to the present time, (*Carried.*)

May 19th., 1852. The Members present were not sufficient to constitute a Quorum.

May 26th, 1852. Professor Doctor Lucius O'Brien, seconded by the Reverend The President, that it be,—

Resolved, That the Board of Endowment be requested to furnish, for the information of the Senate, an Estimate of the Annual Income of the Toronto University for each of the next five years, with a Statement of the fixed annual charges on that Income, and, also, an Estimate of the variable charges, based on the experience of the past two years, exclusive of special appropriations, chargeable to the Investment Fund. (*Carried.*)

May 31st, 1852. The special object of the Meeting, namely the discussion of the Statute, establishing a Cycle for the retirement of the additional Crown and Collegiate Members of the Senate, being entered upon, it was announced that, agreeably to the ballot which took place at a special Meeting of the Senate, held on the 21st of May, 1851, the following Members should vacate their seats on the 1st proximo, namely, the *Crown Members* :—The Honourable J. Hillyard Cameron and Doctor J. J. Hayes. *Collegiate Members* :—The Reverend John Jennings and The Reverend Bernard O'Hara.

June 2nd, 1852. The Members present were not sufficient to constitute a Quorum.

June 9th, 1852. The Members present were not sufficient to constitute a Quorum.

June 16th, 1852. The Members present were not sufficient to constitute a Quorum.

June 23rd, 1852. The Members present were not sufficient to constitute a Quorum.

June 30th, 1852. The Members present were not sufficient to constitute a Quorum.

July 7th, 1852. The Members present were not sufficient to constitute a Quorum.

July 14th, 1852. Read Communications from the Chairman of the Endowment Board, dated May the 28th, transmitting an Estimate of the Income of the University for the year 1852, a Statement of the Expenditures for the years 1850 and 1851, and the usual Returns of Receipts and Payments for the Quarter ending on the 31st of March last. This Estimate was as follows :—

Items of the Estimated Income for the Year 1852.	£	S.	D.
Rents of leased Lots	2,037	12	9
Rents of Invested Property	710		
Interest on Instalments of Purchase Money	2,940		
Interest on Government debentures	2,628		
Interest on Mortgages	391	17	1
Interest on promissory Notes	200		
Interest on Bank Balances	150		
Fees on Transfers, etcetera	150		
Dividends on Bank Stock	25		
Rents of leased Lots, not included in the first Item above, the terms of the leases not having been ascertained, probable amount	500		
Total Estimate Income by the Endowment Board for 1852.	£9,732	9	10

Toronto, 27th May, 1852. David Buchan, Chairman.

Note.—The other Statement and Return are not inserted.

Read the following Note from The Reverend Alexander Gale, dated the 15th ultimo, offering himself as a candidate for the Office of Librarian to the University. The Letter was as follows :—

Having recently learned that the Senate of the University have it in view to appoint a Librarian for that Institution, I beg leave, through you, respectfully to intimate my intention to offer myself as a candidate for the Librarianship—

Toronto, June 15th, 1852. Alexander Gale.

To the Secretary of the Senate, from Honorable Adam Ferguson, re application of Mr. Gale.

I hope you will have the goodness to excuse the liberty which I now take, in addressing you, upon a matter connected with the University, in which I feel directly interested.

I am just informed that the appointment of a Librarian will ere long take place, and I have been requested by my valued friend, the Reverend Alexander Gale, to bring him under your particular notice. It is with very great pleasure that I offer my respectful attestation to Mr. Gale's qualifications for that appointment. He is a most amiable, inoffensive, honourable man, of good literary acquirements, devoted to Books, and, in all respects, in my humble, but conscientious, opinion, eminently qualified to undertake such a charge, with energy, perseverance and zeal. . . .

WOODHILL, 29th August, 1852. ADAM FERGUSSON.

Read a Letter from the Provincial Secretary, dated the 6th instant, transmitting six Warrants appointing three additional Crown. and three additional Collegiate, Members of the Senate, in place of Messieurs Hayes, Jennings, O'Hara and Cameron retired, and Messieurs S. B. Harrison and Oliver Springer resigned. Crown Members appointed : Mr. Oliver Mowat, Doctor J. J. Hayes and Mr. James Leslie. Collegiate Members : the Reverend John Jennings, Mr. Terence J. O'Neill and the Reverend James Pyper.

Read a Letter from the Chairman of the Endowment Board, dated the 9th instant, transmitting the Report of the Board for the year 1851, as required by Section Twenty-two of the University Act of 1849 : 12 Victoria, Chapter 82.

July 21st, 1852. The Members present were not sufficient to constitute a Quorum.

July 28th, 1852. The Reverend John Jennings, seconded by Mr. Oliver Mowat, moved that the Chancellor be requested to call on the Members of the Senate particularly to attend continued meetings untill the business on the Notice Paper, and otherwise pending, be disposed of ; the first Meeting with this view, to commence at 2 o'clock, and, on each following day, at the same hour. (*Carried.*)

August 3rd, 1852. Read a Letter from the Chairman of the Endowment Board, dated the 3rd instant, directing the attention of the Senate to the delapidated state of the Lodges, Gates and Fences. at the entrance of the Queen Street Avenue, and stating that the Board had made arrangements for their repair.

Read the following Report of the Caput on the Chairs of Minerology and Geology and of Natural History :—

The Caput reports to the Senate, that, after careful examination of the Testimonials submitted by the Candidates for the Chair of Minerology and Geology, they are of opinion, that the Candidates, with reference to the value of their Testimonials, should be placed in the following order—

1. Professor Buchanan ; 2. Professor Chapman ;
3. Mr. Trimmer ; 4. Mr. Broughton.

They are also of opinion that Professor Dieffenbach should be recommended, under the authority of the University Amendment Act of 1850.

The Caput also reports that they have carefully examined the Testimonials submitted by the Candidates for the Chair of Natural History, and that they are of opinion that the Candidates, with reference to the value of their Testimonials, should be placed in the following order :—

1. The Reverend William Hincks, Mr. Hardy, Doctor Ayres ; 2. Mr. Cottle ; 3. Mr. Sobister.

They are also of opinion, that Doctor Knox should be recommended, under the authority of the University Amendment Act of 1850.

TORONTO, 4th March, 1852. JOHN MCCAUL, President.

Mr. Joseph C. Morrison, seconded by Doctor J. J. Hayes, moved, that the Senate approve of, and adopt, the Reports of the Caput upon the Chair of Minerology and Geology and of Natural History. (*Carried.*)

Mr. Joseph C. Morrison, seconded by Doctor J. J. Hayes, moved, that the names of the following Candidates, videlicet, Professor Buchanan, Professor Chapman and Mr. Trimmer be selected from the names reported by the Caput, and he transmitted to His Excellency, the Governor General as the Candidates, under the Twenty-fourth Section of the University Act of 1849 : 12 Victoria, Chapter 82, and that the name of Professor Dieffenbach be transmitted, under authority of the Fourth Section of the University Amendment Act of 1850 : 13 and 14th Victoria, Chapter 49, as the persons respectively best qualified to fill the Chair of Minerology and Geology, with advantage to the University.

The President, seconded by Professor Doctor W. R. Beaumont, moved in amendment, that no further action be taken, relative to the Chairs of Mineralogy and Geology and Natural History until the Legal Opinion as to the powers of the Caput be received by either of the Law Offices of the Crown, or of the Solicitor of the University, relative to the competence of the Commission of Visitation to establish new Professorships, and attach Salaries thereto ; or,

until a Statute be passed by the Senate, concurring in the action of the Commission of Visitation, relative to the above mentioned Professorships. (*Lost.*) The original motion was then put and carried.

Mr. Joseph C. Morrison, seconded by Doctor J. J. Hayes, moved, that the following Candidates, namely : Reverend Professor William Hincks, Mr. Huxley and Doctor Ayres, be selected from the names reported by the Caput and be transmitted to His Excellency the Governor General as the Candidates, under the Twenty-fourth Section of the Universitv Act of 1849 : 12th Victoria, Chapter 82, and that the name of Doctor Knox be transmitted under the Fourth Section of the University Amendment Act of 1850 : 13th and 14th Victoria, Chapter 49, as the persons best qualified to fill the Chair of Natural History with advantage to the University. (*Carried.*)

Mr. Joseph C. Morrison, seconded by Doctor J. J. Hayes, moved, that the Testimonials of the several Candidates, ordered to be transmitted to His Excellency The Governor General, as qualified to fill the respective Chairs of Minerology and Geology and of Natural History, the Reports of the Caput, respecting such Chairs, and the Resolution, adopting the said Reports, and containing the selection of names of the Candidates, be transmitted by the Secretary of the Senate to His Excellency, the Governor General, through the Provincial Secretary. (*Carried.*)

Mr. Joseph C. Morrison, seconded by Professor Doctor W. R. Beaumont, moved that the Senate also respectfully report, for the information of His Excellency the Governor General, that the delay in passing the foregoing Resolutions arose partly from doubts in the minds of some Members of the Senate as to the Power of the Visitation Commission to originate the said Professorships, and attach Salaries to the same ; and, that the Secretary transmit a copy of this Resolution to the Provincial Secretary. (*Carried.*)

Mr. Joseph C. Morrison, seconded by Professor Doctor Lucius O'Brien, moved, that the application of Mr. Frederick W. Cumberland for the Chair of Civil Engineering, and his Testimonials, and the opinion of the Attorney General relative to the power of the Caput to make a supplemental Report on the subject,* be transmitted to the Caput for its consideration, and that the Caput be respectfully requested to report upon the said Chair, as well as upon the Chairs of History and English Literature, Modern Languages and Natural Philosophy.

Professor Doctor W. C. Gwynne, seconded by Mr. Oliver Mowat, moved in amendment, that the Report of the Caput, relative to the Chair of Civil Engineering be adopted, and that the names of Mr. Marshall, Mr. George Herrick and Mr. William Armstrong be selected by the Senate as eligible persons to fill that Chair. (*Lost.*) The original motion was then put and carried.

August 4th., 1852.—The consideration of the Statute for the payment of the Commissioners of Inquiry was resumed and it was adopted.

Doctor J. J. Hayes, seconded by Mr. Joseph C. Morrison, moved, that the Statute for the payment of these Commissioners do now pass, and that the Chancellor sign the same. (*Carried.*)

The President, seconded by Professor Doctor Lucius O'Brien, moved, that the Statute, authorizing the payment of the Auditors, do not now pass but that it be refered to a Committee consisting of Professor Doctor Lucius O'Brien, the Reverend Doctor Egerton Ryerson, Messieurs Oliver Mowat and James Leslie, who shall confer with the Auditors on the subject of their Claim. (Lost) The Statute was then put by the Chairman and adopted.

A Statute authorizing a Grant of land at Port Hope, to be made, whereon to erect a Brick School House was read a second time, on motion of Mr Joseph C. Morrison, seconded by the Reverend Doctor Egerton Ryerson. The Premable and Title were respectively carried, and the Statute was adopted.

A Statute, authorizing a further sum of money to be appropriated for the Medical Building, was read a second time, on motion of Professor Doctor W R. Beaumont, seconded by the Vice-Chancellor. The Preamble was carried and the Statute adopted.

A Statute for the erection of a Lodge at the Eastern extremity of the Yonge Street Avenue was read a second time. The Preamble was carried and the Statute adopted.

August 5th., 1852.—Professor Doctor W. C. Gwynne, seconded by the Vice-Chancellor, moved, that the Caput be requested to furnish the Senate with their Annual Report, relative o the affairs of this University, in compliance with the Sixteen Section of the University Charter, at as early a date as possible. (*Carried.*)

Mr. Joseph C. Morrison, seconded by the Reverend Doctor Egerton Ryerson, moved, that that part of the Report of the Endowment Board, on the subject of additional aid required

* This legal Opinion of the Attorney General is not available.

in the Endowment Board Office be concurred in, and that the Chairman be informed, by the Secretary, that the Senate sanction the employment of additional temporary aid for the purpose referred to in the said Report. Moved in amendment by Mr. Terence J. O'Neill, seconded by Mr. James Leslie, that a Committee be appointed to make the necessary inquiry whether the temporary assistance called for was indispensible. The Committee to consist of Mr. James Leslie, Professor Doctor George Herrick and the mover (*Lost.*) The original Motion was then carried.

Mr. Joseph C. Morrison, seconded by Mr. Oliver Mowat, moved that the Seventh Rule of the Senate be suspended, so far as the same relates to a Statute to explain and define the powers of the Chancellor, or other Presiding Officer of the University, in summoning Special Meetings, and for the compulsory attendance of Professors thereat. The Motion was carried, and the Statute to explain and define the powers of the Chancellor, or other Presiding Officer of the University, as to summoning of Special Meetings, and also to provide for the more effectual assembling of such Meetings was, therefore, read a first time. Mr. Joseph C. Morrison, seconded by Mr. Oliver Mowat, moved, that the said Statute do now pass and the Chancellor sign the same. (*Carried.*)

August 6th., 1852. Mr. Joseph C. Morrison, seconded by the Reverend John Jennings, moved, That the Caput shall, two months previous to the beginning of each Academic Year, give public notification in several newspapers in the Province of the date of the commencement, and the date of the ending of the three Terms during the year. (*Carried.*)

August 11th., 1852.—Read a Letter from Mr. Alan Cameron, dated the 11th instant, formally tendering his resignation of the office of Secretary to the Senate.

Read a Letter from Mr. Patrick Freeland, dated 10th instant, offering himself as a Candidate for the Office of Secretary to the Senate, vice Mr. Alan Cameron resigned.

Read a Letter from the Chairman of the Board of Endowment, dated the 11th instant, transmitting, for the information of the Senate, a copy of the Return required by the House of Assembly during the last Session of Parliament, through an Address to His Excellency the Governor General ; and the Accounts of the Board of Endowment of the University for the Quarter ending the 30th June, last.

Mr. Joseph C. Morrison, seconded by Doctor J. J. Hayes, moved, That the Senate accepts the resignation of Mr. Alan Cameron, as Secretary to the Senate ; at the same time the Senate feels it due to that Gentleman to record its acknowledgment of the strict attention that has uniformly marked the discharge of the duties of his office, and to testify its appreciation of his past services, and also to express its regret that circumstances should compel him to resign the office. (*Carried.*)

Mr. Joseph C. Morrison, seconded by The Reverend Adam Lillie, moved that Mr. Patrick Freeland be appointed Secretary to the Senate, in the room of Mr. Alan Cameron resigned. (*Carried.*)

August 12th., 1852. A Statute for the appropriation of a sum of money for the improvement of the Library, and for making additions thereto, was read and adopted.

A Statute relative to the Salaries and emoluments of the inferior Officers and Servants of the University was read a second time and adopted.

August 13th., 1852. Read a Letter from Mr. David Buchan, the Chairman of the Endowment Board, dated 13th instant, on the subject of the restrictions imposed on the Board by the Senatorial Statute relative to Investments, and requesting an amendment thereof.

August 14th, 1852. The consideration of the Statute relative to Scholarships in the University was resumed ; and, being amended, it was adopted.

The Statute to determine from what Medical Schools, Certificates of attendance on Lectures shall be received, was read a second time and adopted.

August 18th, 1852. The Report of the Caput for the year 1851 was laid on the Table.

Read the Supplemental Report of the Caput, dated 18th instant, relative to Mr. F. W. Cumberland's application for the Chair of Civil Engineering, and adding his name to the list of Candidates already submitted to the Senate.

Read the Reports of the Caput, dated 18th instant, relative to the Chairs of Natural Philosophy, Modern Languages, History and English Literature.

The Statute regulating the duties of the Professors was read, amended and adopted.

A Statute relative to the powers of the Chancellor, or other Presiding Officer of the University, as to summoning Special Meetings of the Senate, and, also to provide for the more effectual assembling of such Meetings, was read a second time and, after amendment, was adopted.

August 25th, 1852. Mr. Oliver Mowat, seconded by Professor Doctor W. C. Gwynne, moved the second reading of the Statute to amend Statute Number Ten, which was done and the Statute was adopted.

Doctor J. J. Hayes informed the Senate that the Member of the Endowment Board named by the Caput was at present absent from the City, and that, during such absence, he, Doctor Hayes, unless otherwise directed, would, as the Senatorial Member of such Board, deem it his duty to veto any measure which might, during such absence, be brought forward, affecting the Senate, whereupon the Members of the Senate gave it as their opinion, that the absence of one Member should not, in any degree, interfere with the regular business of the Board of Endowment.

The Dean of the Faculty of Medicine, being a Member of the Caput, having stated that the matter would come under the serious consideration of that Body, he was requested by the Senate to urge the final decision thereof upon the Members of the Caput.

August 28th, 1852. The Minutes of the Special Meeting of the Senate, held on the 25th instant were read, and amended, as to that part thereof, which relates to the statement of Professor Doctor W. R. Beaumont, regarding the action of the Caput, concerning the absence of the Member of the Endowment Board named by it ; by substituting for the words : "was under the serious consideration of that Body," the words : "would come under the serious consideration of that Body."

Professor Doctor James H. Richardson, seconded by Professor Doctor George Herrick, moved the second reading of the Statute to regulate the Library. After amendment, the Statute was adopted.

Doctor J. J. Hayes, seconded by Mr. Oliver Mowat, moved the second reading of the Statute to add the Chancellor to the Building Committee. The Statute was then read a second time and adopted.

September 2nd, 1852. Read a Letter from Mr. Edward Fitzgerald, applying for the office of Librarian to the University. Also a Letter from the Reverend Alexander Gale was read, renewing his application for the same office. A Letter was also read from Professor Doctor Lucius O'Brien, withdrawing his application therefor. The four applications for the office of Librarian, formerly laid before the Senate, were read.

Mr. Oliver Mowat, seconded by the President, moved that the votes for Librarian do proceed thus ; there being four Candidates, videlicet, Messieurs Small, Curzon, Gale and Fitzgerald. First, let each Senator, in succession, name three of the four Candidates, giving one vote to each of the three he so names ; let the Candidate who is then found to have the smallest number of votes, be deemed to be rejected. Second : Let each Senator then, in the same manner, name two of the remaining three, and let the Candidate, who, of the three, is found to have the smallest number of votes, be deemed to be rejected. Third : Then let each Senator name one of the remaining two, and let the Candidate, who, of the two, is found to have the larger number of votes be thereby deemed to be chosen, and he hereby be appointed Librarian. (*Lost*) Professor Doctor James H. Richardson, seconded by Mr. James Leslie, then moved that the mode of voting be by ballot. (*Carried.*)

The Reverend John William Small, having a majority of the whole number of votes cast, was declared to be duly elected Librarian of the University.

September 25th, 1852. Read a Letter from the Assistant Provincial Secretary to the Secretary of the Senate, dated the 6th instant, requesting, by command of the Governor General, a copy of the Statutes, Rules and Ordinances, passed by the Senate, under the Nineteenth Section of the University Act of 1849 : 12th Victoria, Chapter 82.

Read a Letter from the Chancellor to the Vice-Chancellor, dated the 25th instant, requesting the Senate to permit Mr. Alan Cameron to officiate for the newly appointed Secretary, who could not attend, for reasons therein stated. And recommending that the Senate should authorize the Secretary to transmit to the Provincial Secretary a copy of the Statutes on the subject, and that the Endowment Board provide for the payment thereof.

The President, seconded by Professor W. R. Beaumont, moved that the Secretary be directed to transmit to the Provincial Secretary, in compliance with the Letter of the Assistant Secretary of the Province of the 6th instant, copies of the several Statutes passed by the Senate, which have not already been furnished to the Government, and that, in future, copies of the Statutes be transmitted in like manner, according as they are passed by the Senate ; and that the Endowment Board be directed to provide for the payment of making such copies of the Statutes, in so far as relates to the Statutes passed up to this date, at the rate charged for similar copies furnished to the Commission of Visitation. (*Carried.*)

October 9th, 1852.—Read a Letter from the Honourable The Chancellor resigning his office as Chancellor.*

* No copy of this Letter of resignation is available, as I am informed by Mr. J. E. Berkeley Smith, the Bursar of the University, to whom I wrote on the subject.

A Letter from the Honourable the Chancellor, having been laid before the Senate, tendering his resignation of office, it was moved that the Senate do resolve to express great regret at such a step and that the Chancellor be earnestly requested to withdraw his notice of resignation, and continue to hold the office which he has hitherto so ably filled. (*Carried.*)

The Vice-Chancellor stated that the object for which the Meeting was called, was to take into consideration the proposed University Bill of the Honourable Francis Hincks. A copy of the Bill, received by the Chancellor, was presented to the Senate by the Vice-Chancellor, and was laid on the Table. The Bill so presented was read.*

Moved by Mr. Oliver Mowat, seconded by Professor Doctor George Herrick, that the proposed New University Bill be referred to a Committee, to report a Memorial thereon for consideration by the Senate at an adjourned meeting thereof, to be held on Wednesday next at 2 o'clock, and that the Reverend John Jennings, the Reverend Adam Lillie, Doctor J. J. Hayes, Professors Doctor James H. Richardson and George Buckland, and the Mover, do form such Committee. (*Carried.*)

October 13*th*, 1852. Read a Letter from the Chancellor to the Secretary, dated the 12th instant, acknowledging the receipt of a Resolution of Senate on the subject of his resignation of office, and stating the reasons which induced him to tender his resignation of office but declining to withdraw the same.**

Whereupon, it was moved by the Reverend John Jennings, seconded by the Reverend Adam Lillie, that a Letter from the Chancellor having been read, in reply to the Motion carried at last Meeting of the Senate, still signifying his determination to resign his office,—the Senate being much impressed with the value of the past services of the Chancellor, and the importance of his continuing to remain in office in the present juncture, be it,—

Resolved, That a Deputation, consisting of the Vice-Chancellor, Doctor J. J. Hayes, Professor Doctor Lucius O'Brien, the Mover and Seconder, be appointed to wait on him, and to respectfully and earnestly urge the wishes of the Senate in this matter. (*Carried.*)

The Committee appointed to consider the new University Bill and to prepare a Memorial to the Government thereon, reported a Draught of a Memorial, which was presented and read‡ clause by clause, and several amendments were made to it, and others suggested, when it was, moved by Mr. Oliver Mowat, seconded by the Reverend Adam Lillie, and

Resolved, That the Memorial be referred back to the Committee for reconsideration. . . . (*Carried.*)

October 14*th*, 1852.—The Memorial to the Government, on the proposed New University Bill, presented by the Committee at the last Meeting and referred back to them for amendment, was again presented and read, whereupon, it was moved by Professor Doctor W. R. Beaumont, seconded by Professor Doctor W. B. Nicol, That the thirteenth paragraph in the Memorial now read be omitted. (*Carried.*)

Mr Oliver Mowat, seconded by the Reverend Adam Lillie, moved that the Memorial, as amended, be adopted. (*Carried.*)

Moved by the Reverend John Jennings seconded by Doctor James J. Hayes, that a Deputation be appointed to carry the Memorial to Quebec, and present it to the Governor-in-Council, and also use diligence in urging the views therein expressed on the Members of the Executive Council, as opportunity may offer. (*Carried.*)

Moved by Professor Doctor W. C. Gwynne, seconded by Professor Doctor George Herrick, That the Chancellor, Doctor J. J. Hayes, The Reverend John Jennings, The Reverend Adam Lillie and the Reverend Doctor James Pyper do form the Deputation to the Government. (*Carried.*)

October 30*th*, 1852. Read a Letter, dated the 21st of September, from the Provincial Secretary, regarding the proposed University Buildings, and recommending the discontinuance of further action being taken therein, until the Statutes authorizing their erection had been submitted to His Excellency the Governor General in Council.

Read a Letter, dated the 12th instant, from the Provincial Secretary, communicating the disallowance, by the Governor General-in-Council, of the Statutes of the Senate, Numbers 32, 38, 43 and 68.

Read a Letter, dated the 18th instant, from the Chairman of the Board of Endowment, transmitting an order of the Board on the subject of the claims of the Auditors of the

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* For a copy of this Bill, as modified and passed, see pages 117-129 of this Volume.

** No copy of this Letter is available, as I am informed by the Bursar of the University.

‡ No copy of this Memorial is available, as I am informed by the Bursar of the University, to whom I wrote on the subject.

University Accounts, remitted to said Board by the Senate by its order, passed on the 25th of September last. Read also the Order enclosed in said Letter.*

Read a Letter, dated the 18th instant, from the Chairman of the Board of Endowment, suggesting to the Senate the propriety of passing a Statute, giving to the Board of Endowment the same powers, as to sales of University Lands, as were conferred upon them by the Building Statutes lately disallowed. **

The President, seconded by Mr. Oliver Mowat, moved that, insomuch as the Endowment Board have declined undertaking the decision of the claims of the Auditors, such claims shall be referred to Arbitration, and that Mr. John McMurrich be appointed Abitrator, on the part of the Senate, a similar Arbitrator to be appointed by the Auditors, and the third to be appointed by the Arbitrators, on the part of the Senate and Auditors. (*Carried.*)

The Deputation appointed at last Meeting to carry the Memorial, then adopted, to Quebec, and present the same to the Governor-in-Council, presented their Report, which was read and laid on the Table.

Professor Doctor John King, seconded by the Reverend John Jennings, moved That a Committee be appointed to draft a Memorial, respectfully praying that His Excellency the Governor General, as Visitor of the University, may be pleased to appoint a Committee of Visitation, to inquire into the modes heretofore adopted in carrying on the affairs of the University, and with a view of correcting any of its transactions which may be thought objectionable, or erroneous, and, that the said Committee consist of the President, the Reverend John Jennings, Doctor J. J. Hayes, and the Reverend Doctor James Pyper. (*Carried.*)

The Reverend John Jennings, seconded by Professor Doctor W. R. Beaumont, moved, That a Committee, composed of the Vice-Chancellor, the President, Doctor J. J. Hayes, Messieurs Oliver Mowat and James Leslie, The Reverend Doctor James Pyper, the Reverend Adam Lillie and the Mover, be appointed to investigate into the duties and salaries of Professors, and general management of the University, and report on the same to the Senate. (*Carried.*)

November 6th, 1852. Read a Letter from Messieurs Thomas J. Robarts and J. W. Brent, Auditors, stating that they had appointed Mr. John Cameron to act with Mr. John McMurrich, appointed by the Senate on the Arbitration between the Senate and them, on the subject of their claim for remuneration for services rendered as Auditors of the University Accounts for the years 1850 and 1851.

The Statute to sanction the Bye-laws of the Medical Faculty was read the second time and adopted.

The Statute to remove any doubt as to the abolition of fees for Matriculation and for Degrees, as regards Students in the Medical Faculty, was read the second time and adopted.

The Statute for payment of the expenses of the Deputation to the Government at Quebec on the subject of the University Bill was read the second time and adopted.

November 20th, 1852.—Read a Letter from the Provincial Secretary, dated November the 9th, transmitting Letters Patent, disallowing the Senate Statutes, Numbers 32, 38, 43 and 68.‡

Moved, that the consideration of the Statute respecting the Library be permitted to take precedence of other business. (*Carried.*)

Mr. Joseph C. Morrison, seconded by the President, moved, that the Caput may, from time to time, in their discretion, alter and fix other hours for the attendance of the Librarian, as well as during vacation and Term time. And also to make Rules and Regulations for the admission of Students to the Library, and report, from time to time, to the Senate all such Rules and Regulations. (*Carried.*) The Title was read and the Statute was then adopted

The Reverend Doctor Michael Willis, seconded by the Reverend John Jennings, moved, That a Committee be appointed to consider what arrangements may be made for accommodating all classes of Students with the use of the Library, said Committee to consist of the Vice-Chancellor, the President, Professor Doctor W. R. Beaumont and the Mover.....(*Carried.*)

Mr. Joseph C. Morrison, seconded by Professor Doctor Skeffington Connor, moved that the Statute to amend Statutes, Numbers 60 and 66, be read a second time, which was done and the Statute was adopted.

It was moved that the Statute to continue Statute, Number 20, be now read a second time, which was done, and the Statute was adopted.

* Neither of these Documents is available, as already intimated.
** Letter not available, as already intimated.
‡ No copy of this Letter or of the Letters-Patent or of the disallowed Statutes, are available, as already intimated.

The Report of the Caput on the Chairs of Natural Philosophy, Modern Languages, History and English Literature, was then taken up for consideration. The President, seconded by Mr. Oliver Mowat, moved, That the Testimonials of Messieurs Smith and Blythe laid before the Senate be read. (*Carried.*)

The Testimonials of these Gentlemen were then read ; whereupon it was moved by the Reverend John Jennings, seconded by the Reverend Adam Lillie, That the Senate respectfully depart from the Report of the Caput, relative to the Candidates for the Chair of Natural Philosophy, in the following respect, videlicet, That the name of Mr. Blythe should, upon investigation of all circumstances, be placed as next after that of Mr. North, for the following reason :—the fact of his being a successful Teacher in Mill Hill Grammar School, near London, for a period of more than five years ; such experience as a Teacher, in the opinion of the Senate, entitling Mr. Blythe, in connection with the high order of his testimonials, to be so placed. And that the names of Mr. J. B. Cherriman, Mr. North and Mr. Blythe be selected as the three Candidates for the Chair of Natural Philosophy ; and that such names be reported to His Excellency the Governor General, under the Twenty-fourth Section of the Amended University Act of 1850 ; 13th and 14th Victoria, Chapter 49, and that a copy of this Resolution be transmitted to the Provincial Secretary. (*Carried.*)

The Reverend John Jennings, seconded by the Reverend Adam Lillie, moved, That the Report of the Caput and the Testimonials of the three Candidates, selected for the Chair of Natural Philosophy, be transmitted, with the foregoing Resolution, to the Provincial Secretary, to be placed before His Excellency the Governor General. (*Carried.*)

November 27th., 1852. The Members present were not sufficient to constitute a Quorum.

December 4th., 1852. On motion of the President, the Minutes of the Meeting held on November the 27th were ordered to be amended, by inserting the words :—

" Other Members of the Senate, who are also Members of Convocation, were prevented from attending the regular Monthly Meeting of the Senate, in consequence of a Special Meeting of Convocaton for the election of a Chancellor, which was held at the same time as that appointed for the Meeting of the Senate.

Read a Letter from Mr. John McMurrich to the Secretary of the Senate, dated November the 30th, informing him of the appointment of Mr. James Mitchell, as the Umpire, on the Arbitration between the Auditors of the University Accounts and the Senate.

Read the Award of the Arbitrators in the same matter, awarding to each of the Auditors, the sum of Seventy-five pounds, (£75,) for auditing the University Accounts for the years 1850 and 1851. The Statute, authorizing the payment of this Award to the Auditors, was then read a first time.

The Report of the Caput on the Chairs of Modern Languages, History and English Literature was then taken up for consideration.

The Reverend John Jennings, seconded by the Reverend Doctor Michael Willis, moved, That the names of Doctor Lindo, Doctor Forneri and Doctor Mantovani, be selected as the three Candidates for the Chair of Modern Languages, and that such names be reported to His Excellency the Governor General under the Twenty-fourth Section of the Amended University Act of 1850 ; 13th and 14th Victoria, Chapter 49, and that a copy of this Resolution, together with the Testimonials of these Gentlemen be transmitted to the Provincial Secretary. (*Carried.*)

The Reverend Doctor Michael Willis, seconded by Professor Doctor James H. Richardson, moved, That with much deference to the Report of the Caput, the Senate resolves, that the name of the Reverend Henry Esson be one of the three transmitted to the Governor-in-Council. (*Carried.*)

The Reverend Doctor Egerton Ryerson, seconded by Professor Doctor Lucius O'Brien, moved that the name of Mr. Thomas Jaffray Robertson be one of the three names submitted to the Governor General for the Chair of History and English Literature. (*Carried.*)

Mr. Terence J. O'Neill, seconded by the Reverend Doctor James Pyper, moved, That, with all deference to the decision arrived at by the Caput, it is considered that the selection of the Reverend Doctor Robert Burns, if made by the Government, would be of much benefit to the Country ; it is, therefore, proposed that the name of that Gentleman be one of the three sent forward. Professor Doctor James H. Richardson, seconded by Professor Doctor Lucius O'Brien, moved in amendment, That the name of Doctor Daniel Wilson be one of the three to be sent to Government, as recommended, for the chair of History and English Literature. (*Carried.*)

Professor Doctor James H. Richardson, seconded by the Reverend Doctor Michael Willis, moved, That the Senate is of opinion, that, instead of the names of Mr. Webb and that of the

Reverend Mr. Jordan, those of Mr. T. J. Robertson and the Reverend Henry Esson should be substituted, and, that the Senate is influenced, in thus dissenting from the Report of the Caput, by the consideration of the efficient services, which have been rendered in the cause of education by Mr. Robertson and by the Reverend Mr. Esson, and the reputation which they have acquired in the community during their residence in the Province; but, that the Senate, abstains from expressing any opinion as to the relative merit of those three gentlemen in reference to their qualifications for the said Chair. (*Carried.*)

December 11th, 1852. Read a Letter to the Secretary from the Chairman of the Board of Endowment, dated December the 10th, enclosing the usual University Accounts for the quarter ending September 30th, 1852. (The accounts are not inserted.)

The Committee appointed to consider the practicability of making provision for the admission of Undergraduates and occassional Students to the advantages of the Library, presented their Report which was read. Professor Doctor Skeffington Connor, seconded by Professor Doctor Lucius O'Brien, moved, That the Report of the Committee on the Library be now received. (*Carried.*)

The Statute to repeal the first proviso of the Sixth Section of Statute, Number 10, as amended by Statute, Number 73, was then read the second time and adopted.

December 18th, 1852. The consideration of the original and supplementary Reports of the Caput, on the Chair of Civil Engineering, being the first item on the Notice paper, they were read by the Secretary.

The Reverend Doctor Egerton Ryerson, seconded by the Reverend Adam Lillie, moved, That the name of Mr. Frederick W. Cumberland be submitted to the Governor General as one of the three names for the Chair of Civil Engineering in the University of Toronto. (*Carried.*)

Professor Doctor Lucius O'Brien, seconded by Professor W. R. Beaumont, moved, That the names of Mr. Marshall and Mr. George Herrick be transmitted to His Excellency as two of the three Candidates for the Chair of Civil Engineering. (*Carried.*)

The Reverend Doctor Egerton Ryerson, seconded by Professor Doctor Lucius O'Brien, moved, That the Secretary do transmit to His Excellency the Governor General the names of Mr. N. Marshall Mr. George Herrick and Mr. F. W. Cumberland, as candidates for the Chair of Civil Engineering, and their respective Testimonials, the Resolutions of the Senate, and the Reports of the Caput, relative to such Chair, whilst the Senate reports the name of Mr. Cumberland, in consequence of his high qualifications, as noticed in the Supplementary Report of the Caput, they decline expressing any opinion on the respective merits of the three Candidates. (*Carried.*)

CHAPTER XVI.

ANNUAL REPORT BY THE UNIVERSITY BOARD OF ENDOWMENT FOR 1852.

(NOTE. This Report goes so much into local detail that I have had it set up in smaller type than that in which the other Reports are printed.)

Apart from the full record, in the following Report, of the substantial work done by the Board of Endowment, it contains a number of complaints against, or objections to, the restrictive character of the Statutes of the Senate, passed to regulate the Board's financial proceedings.

The University Act of 1849, in defining the duties of the Board of Endowment of the Toronto University, declared that these duties should be performed "under the direction of such University Statutes as shall, or may, be passed for that purpose."

Apparently these directing University Statutes were passed without consultation with the parties who had to carry out their provisions, and to act under them. Hence, a deadlock often occurred, which prevented the free and judicious action of the Board of Endowment in making investments in the interest of the separate Funds which it had in charge.

In a portion of the Report of the Endowment Board, it is stated, "that the interests of the University would be promoted were the Senate . . . to untie the hands of the Board" . . . And, in another place, it speaks of a Statute affecting the operations of the Board, the enacting clause" of which "was utterly at variance with the Preamble," etcetera.

As many of the facts and references in this Report, which were well known and understood at the time, would be regarded now as indefinite, and incomplete, I have added a few words here and there, so as to make these facts and references the more intelligible. I have also curtailed, or entirely left out, various portions of the Report, which were purely local in their character and object.

The Board of Endowment of the University of Toronto and Upper Canada College and Royal Grammar School have now the honour to present to the Senate of the University their Third Annual Report of the state of the property and effects of the University for 1852 as required by the 21st Section of the University Act of 1849, 12th Victoria, Chapter 82.

1. It would have afforded the Board great satisfaction had they, in making this Report, been able to accompany it by, and found it on, a Balance Sheet, derived from a continuation of the Books of the Commission of Inquiry into the Affairs of King's College. As stated in the last Report of this Board * a proper set of Books had been obtained, and the work of continuation had been commenced; but it was found that the strength of the Office was inadequate to the work. Although the Endowment Board have always entertained the opinion, that they are the proper judges of the amount of assistance necessary to conduct the business of the Endowment Office, and that with them rests the power to employ such number of Clerks as may be required; yet, as the Senate, in its Statute, Number Ten, had expressly prohibited the Board from employing more than a certain number of Clerks, and that number had been already exceeded, the Board thought it better to wait the action of the Senate on the Statement in their Report before proceeding to engage the required assistance. It was on the 9th of August last, that the concurrence of the Senate, in the suggestion of the Board, was communicated to the Board. Immediately afterwards, the necessary inquiries were made for a suitable party to aid the Book-keeper; and, before the close of the month, a Gentleman, strongly recommended by Mr. R. E. Burns, the Chairman of the late Commission of Inquiry into the Affairs of King's College, was engaged.

2. The opening of a new set of Books necessarily involved the transfer of more than two thousand Accounts. In making the transfer, the Book-keeper has compared the balances in the Commissioners' accounts with those derived from the Books in the Endowment Office, and, where a difference has appeared, the cause of that difference has been thoroughly sifted. It may be readily supposed, that, in these circumstances, the Board could not, by any possibility, be yet in a state to base this Report on the continuation of the work of the Commissioners, as was hoped might have been the case when the last Report of the Board was presented. The transfer, however, is in a forward state; and, so soon as the three years which have elapsed since the date of the balance of the Commission of Inquiry can be posted to the new Books, a Balance Sheet will be prepared and submitted to the Senate. The Board are exceedingly anxious to accomplish this as soon as possible; but they are not less anxious than the Senate to have the whole Accounts as correct as possible; and they deprecate any slighting of the work.

3. It must be also remembered, that the Book-keeper and his Assistant have the current business to post in the existing Books: that, in the course of last year, a very voluminous Return had to be prepared for Parliament; and that the Senate itself required Returns to be made to it, in reference to the Income and Expenditure of the University; all of which seriously interfered with the routine business of the Office. It will be seen, too, by what is laid before the Senate, by and with this Report, that the amount of business done in the Endowment Office has been very much increased, as compared with that of former years.

4. There are herewith presented to the Senate the Annual Accounts of the Cash transactions of 1852. These accounts are five in number—

First. Of the Receipts and Payments on account of the Investment Fund:

Second. Of the Receipts and Payments on account of the Income Fund:

Third. A similar Account, in reference to the Appropriations made under the Statutes of the Senate for the payment of the allowances made to the Commissioners of Inquiry, and for the improvement of the Port Hope and Port Stanley properties:

* See pages 285-292 of the Ninth Volume of the Documentary History.

Fourth. The State of the Deposit Account, the design of which was explained in last Report of the Board ; and,

Fifth. A summary of all these Accounts.

From the Accounts, thus presented, it will be perceived, that the amount of Cash received during the year 1851 has been	£31,255 5 10
Which added to the Balance on hand on the first of January, 1852	3,785 16 7
Gives a total of	£35,041 2 5
That, of this sum, there has been expended and invested up to date	£27,164 16 2
Leaving a Balance in hand on the 31st of December, 1852, of	7,876 6 3
Total income available for 1853	£35,041 2 5
It will also be seen that the amount, of Income received during the year 1852 was	£16,710 16 10
Of which there was expended	10,888 2 5
Leaving a balance of	£5,822 14 5

to be carried to Investment Account, as prescribed by the University Act of 1849.

The Accounts also shew that the amount received during the year on account of Investments, including a sum of £1,124.4s. 0d. of Investments returned, was	£13,287 8 0
To which add surplus Income as above	5,822 14 5
	£19,110 2 5
Also balance in hand on the 31st of December, 1851	1,765 9 3
Giving a total, as per account Number One, of	£20,875 11 8

The Endowment Board since it entered upon the management of the Property put under its charge, has always endeavoured to keep the Bank balance as low as possible, consistently with the retention of a sufficient sum for the discharge of the current expenditure. Hence, in the earlier part of the year 1852, and down even to the end of August last, the Investment Fund was kept debtor to the Income Fund ; and, as long as Government Securities were to be obtained at par, Debentures were purchased ; but, in the Month of May, 1852, it was intimated to the Board, though the Cashier of the Bank of Upper Canada, that, in the meantime, no more Debentures could be had from the Government. By that time, the Board had invested £9,000. Subsequently, they were able to obtain, at second hand, other Debentures for £1,500 : but, owing to the rise in the value of Provincial Debentures in the English Market, and the financial restriction imposed on the Board by the Senate, preventing investment in Securities, yielding less than six per cent. on the capital invested, the Board have not been able to obtain Debentures to a greater amount than £10,500, as indicated by the Accounts.

5. When it became apparent, that the difficulty, thus experienced, would continue, the Board, it will be remembered, applied to the Senate for an extension of their power to invest in other Securities. By University Statute Number Ten, the Board were only authorized to invest :—

First. In the purchase of Real Estate already leased and improved :

Second. In the purchase of Government Debentures.

Third. In the improvement of unproductive City Property

6. As the University Act of Parliament of 1849 only authorized investment in Government, or Landed, Securities, it was felt that Real Estate could not be purchased ; and, as the third alternative was, from existing circumstances, all but inoperative, the Endowment Board was, for a time entirely shut up from investing. On 30th of August, 1852, the statute of the Senate, Number Sixty-six, authorizing the loan of University funds on Mortgage of Real Estate was laid before the Board ; and, without delay, the Board intimated, by advertisement, that they were prepared to make such investments. The consequence was, a perfect deluge of applications : and, although the Board have thus had no difficulty in selecting a sufficient number of apparently satisfactory proposals, yet a great deal of the time, both of the Board, when sitting, and of the Chairman, when conducting the routine business of the Office, has been taken up in receiving, considering and replying to these applications : so much so, that the Board feel quite satisfied that the nominal return of six per cent. on the investment, which is thus obtained, by no means compensates for the cost to the University thus incurred. And this is irrespective altogether of the interruption which is occasioned to the consideration of the numerous applications to purchase, which are constantly flowing in, and the attention required to the collection of arrears of rent and purchase money.

7. It will be seen, that, up to the end of the year 1852, £3,700 had been invested in Mortgages. The Solicitor of the University has other Securities in preparation ; and further proposals have been accepted to an amount fully equal to the balance in hand.

8. It may be gathered, from what has been stated, as the opinion of the Endowment Board, that the interests of the University would be promoted were the Senate further to untie the hands of the

Board, and permit them to purchase Government Debentures at their current value. Satisfied that, in all ordinary cases, it is both for the interest of the University, and of the occupants of their Lands, that the Leases, under which a large portion of the University Endowment is still held, should be converted into purchases, the Board have, during the year, 1852, devoted as large a portion of their time as possible to the consideration of applications to purchase. But, since the meeting of Parliament in August last, they have been able to do comparatively little, partly on account of the absence at Parliament of two of their number, and the consequent difficulty of obtaining a quorum of the Board, but principally in consequence of the disallowance by the Executive Government, early in October, 1852, of the Building Statute, under which the Endowment Board was acting in the sale of the University Lands. It will be in the recollection of Members of the Senate that, immediately after the receipt of the intelligence of the disallowance of the Building Statute by the Government, the Board applied to the Senate for a renewal of the powers of sale conferred upon it by the Building Statute, on the ground that, without such renewal of the powers by that Statute conferred, the interests of the University would be materially injured. It will also be remembered, that although the Senate, on the 20th of November, passed a Statute, (Number Seventy-three), which, in its Preamble professed, that the experience of the preceding sixteen months had proved it to be advantageous to the interests of the University that the Board of Endowment should be freed from the restrictions imposed by Statute Number Ten, in selling the Lands of the University; yet the enacting clause of that Statute was utterly at variance with the Preamble, and, it was only after the defect in the Statute was pointed out by the Board, and a further delay of some weeks had occurred, that a new and sufficiently comprehensive Statute was passed. On the 13th of December, 1852, the new Statute was transmitted to the Board, and they, thereupon, resolved that the sale of the Lands and Property of the University should be again proceeded with. But, owing to the time occupied with the application for loans, the Board have not been able to do as much in the sale of Lands as they might otherwise have accomplished.

9. The sales of the year of portions of the original Land Endowment, irrespective of the Port Hope Lots, to which reference will be afterwards made, have amounted to 13,708½ acres, at an aggregate price of £25,869 5s. 10d, or, an average of 37s. 9d. per acre. Including the Port Hope Lots, the total sales of the Land Endowment during the year 1852, have been 13,729¾ acres, at an aggregate price of £27,686 3s. 4d, or an average of 40s. 4d. per acre.

10. (1) The number of Acres of the original Endowment unsold on 31st December 1849, as stated in the Report of the Commission of Inquiry into the Affairs of King's College, amounted to 88,974$\frac{11}{20}$ acres.

(2) The quantity of this Land sold by the Endowment Board, or granted for Railway, or School, purposes, by Statute of the Senate, up to 31st December, 1852, was 19,619$\frac{8}{20}$ acres; leaving Lands unsold consisting of 69,355$\frac{3}{20}$ acres.

(3) The aggregate value of the sales of the original Land Endowment made by the Board, since entering upon their duties, up to 31st of December, 1852, reaches £39,510 13s. 11d,—giving an average price per acre of 40s. 3d. Leaving out the Port Hope Lots, the average price per acre is 38s. 5d.

11. It was stated in last Report of the Board, that arrangements had then been made for bringing the Port Hope property into the market as town lots. Up to the close of the year 1852, the Board had sold 21 acres, 1 rood and 5¾ perches of this property at an average price of £85 10s. per acre. Sales were suspended for some time, in consequence of the disallowance of the Building Statute by the Government, and, when the new Statute of the Senate, on the subject of sales, was passed, the Board had become convinced, that the time for an advance in the prices of, at least, some of the Lots, had arrived; and, at the close of the year 1852, the matter was still under consideration.

12. The Senate is already aware that the Directors of the Port Hope and Peterborough Railroad had applied to know on what terms the University would dispose of from eight to twelve acres of the Lot, for the establishment thereon of the Port Hope Terminus of that Road. The Senate, having by Statute, confided to the Board the power to dispose, for such purpose, of not more than eight acres, and for the purpose of the Railroad track across the Lot of not more than three acres additional, at such price as the Board might see it for the interests of the University to arrange, the Board put themselves into communication with the Directors of the Railroad, with the view of obtaining further information as to the location of the Line, and other matters necessary to be known, before making an offer of any Land to the Company. As yet, no reply has been received to the inquiry of the Board. Members of the Board have seen, by the public prints, that the survey has been completed, and the Engineer's Report and Plans of the Road, submitted to, and approved by, the Government Engineer; and it is said that the Railroad will be immediately proceeded with. The Board have not any information which of the lines surveyed for the purpose, entering the Town of Port Hope, is likely to be adopted. The Eastern line is that which crosses the University Land.

13. The arrangements, in reference to the Port Stanley property, are in the same position as at the date of last Report of the Board. Any further movement would, as yet, be premature.

14. The Senate is aware that, in March of the year 1846, the Council of King's College purchased from Mr D. E. Boulton a number of lots on the Garrison Common, amounting to five and a quarter acres, at the rate of about £450 per acre. *Several applications have been made to the Board, at

* The Commissioners appointed to enquire into the Affairs of King's College, in their Report, printed by order of the House of Assembly in 1852 give particulars of the purchase of this Toronto Property. See pages 28 and 50 of their Report.

different times, to purchase some of these Lots ; but the prices which the Board felt it necessary to put on them, in consequence of the rate at which they had purchased, were rejected by the applicants, as being far too high. The Board then obtained a valuation by Messieurs Dixon and Trotter, the City Valuators, and that valuation was far beneath the prices which the Board deemed it would be requisite to attain to justify a sale.

15. The Senate will recollect the anxiety which was felt by many of its Members, about the middle of last year, as to the state of the Income of the University, in the view of the increased claims which it was likely to be called upon to meet, in consequence of the anticipated erection of new University Buildings, and the appointments to the new Chairs erected by Visitatorial Statute, involving, for the latter alone, an increased annual expenditure of Two thousand pounds, (£2,000,) in salaries, besides incidentals.

16. Under the pressure of this anticipated demand, and as the Garrison Reserve Lots were entirely unproductive, the Board felt itself imperatively called upon to endeavor to make out of these Lots the amount which they had cost the University, or as near to it as possible ; and the Members of the Board felt also, that their only justifiable course was to expose these Lots at public auction, fixing an upset price, which would, in the opinion of the Board, leave some margin for competition. Accordingly, on the first of July, 1852 last, the Lots in Block H., adjoining the Toronto Western Market, were exposed on the premises, in the shape in which they had been laid out by the King's College Council, according to a Plan in the University ; but, although several parties appeared on the ground, no one would bid near the upset price, and the Auctioneer, in consequence, strongly recommended a different arrangement in the shape of the Lots.

17. The question was again carefully considered by the Board, towards the end of July, and, on the Second of August, an order was made for the exposure at Auction on the 12th of that month, in the Auctioneer's rooms, of the whole Five and a quarter acres, in half and a quarter acre lots, according to the original Plan of the Garrison Common ; and an upset price was placed on each Lot. When the Lots came to be auctioned, they were all sold. The aggregate price obtained was £3,128 15s., which nearly covered the original cost of the land, including the interest on the original outlay there being deficit of only about £160.*

18. The special attention of the Board was called in the latter part of the Summer of 1851 to the state of the Account of the Hamilton Property.† That property was then, and is still, under lease at a rental of £580 per annum ; but what seemed to the Board very extraordinary was that there was an apparent arrear of more than a whole year's rent of the property, in fact, of over £700. A subsequent comparison of accounts, with the Board's Agent at Hamilton, reduced the amount, in consequence of several of the shops having been vacant for some time previous to their occupation by the present Tenants. Still, there was a very large amount of arrears, and the Agent was urged to get it reduced. By subsequent action, the arrears were all recovered, excepting a doubtful item of £11, concerning which some explanation is still required. The Board have discontinued the Agency at Hamilton and have taken the managment of the property, for the present, into their own hands. The October and January quarter's rents have been punctually paid ; and, if it shall turn out, that the item above referred to has been paid to the Agent, the Shop Tenants would thus have paid their rents, as far as due.

19. Besides the £580, above referred to, there is a portion of the Building above an Archway, which had been let for a short time at £15 a year, which makes the whole rental at present due from the property £595. The Tenant of that small portion had left the premises and there is a balance yet to be recovered from him. The rooms have been attached to one of the adjoining shops, and let at the same rent.

20. The report made by our Chairman to the Board of a visit he made to the property at Hamilton induced the Board to appoint a special Committee, consisting of the Chairman and Doctor J. J. Hayes, to inspect the property, in order to determine what repairs were necessary, and what improvements could by advantageously made, with view of establishing, as soon as possible, an increase of rent. The following is an extract from the Report of this Committee, so far as it relates to the then condition of the property.—"We found the Premises to be in a most disgraceful condition, never having, apparently, been finished, and nothing, apparently, having ever been done to attempt to keep them in repair, even in so far as the finished part is concerned . . . . §

The Committee recommended certain repairs and improvements, embracing the erection of new brick Out Houses, (etcetera) . . . of new Shop Fronts to three of the Shops, and the repair of the roofs of the whole of the Buildings.

21. In the cases of the three Shops referred to, the Tenants had equitable claims for leases, with from two to three years to run, the Committee having made provisional agreements, with them to respect their claims for leases, the University making the improvements recommended, and the Tenants being subject to an advance of rent from the completion of these improvements. The Board confirmed the arrangement made by the Committee, and the improvements have been advanced as far as possible. They will not be completed until Summer. Twenty five per cent. upon the existing rental was the advance agreed upon ; and the additional rental will pay from ten to twelve and a half per cent.

*The cost of this Property is given in the Report of the King's College Inquiry Commission as £2,368.18 9—paid for it to Mr. W. H. Boulton, and the interest up to the end of 1849 as £542.14.0.

†In regard to the cost of this Hamilton Property, see the same Report of the Commission of Inquiry, pages 30 and 50.

§The further details of the delapidation and the depreciation, in the value of the property, are left out.

upon the outlay, until the end of the time that the leases have to run. Had the Board been untrammelled by the leases, they could very readily have obtained a greater advance of rent for the Property.

22. The three other Shops on the Property are held under continuations of expired leases, and the Solicitor of the University has been instructed to take the necessary steps to get the Tenants ejected, so as to enable the Endowment Board to make the necessary improvements in the Shops, and enter into new contracts for leases with some of the many parties who have applied for their occupation. The Board have little doubt that they will be able to secure an advance of from thirty to fifty per cent. upon the present rental. The accomplishment of this, especially the larger advance, will involve a considerable outlay, but an outlay absolutely necessary to keep pace with improvements in the character of other shops in the City of Hamilton.

23. The Board have been thus particular, in reference to the Hamilton Property, in consequence of the special attention, given to it in the Report of the Commission of Inquiry, and to furnish an example of the trouble occasioned to the Board by the very injudicious practice, which prevailed in former times, of allowing a large accumulation of arrears by those indebted to the Institution, Indeed, it would be scarcely possible to estimate the amount of additional trouble which the Board have encountered through this means.

24. The Superintendent of the University Grounds having intimated to the Board that the Lodges and the Gates at Queen Street require very much repair, the Board had them inspected, and, after due enquiry, employed Mr. John Ritchey to execute the necessary repairs. This involved an outlay of £94 2s. 6d. . . .

25. The notice of the Board was also directed by the Superintendent of the Grounds to the unsightly appearance of that portion of the University Park not leased to the Board of Agriculture, and the possibility of not only making it more seemly by a moderate outlay, but, by laying it down with proper grasses, making it sufficiently productive to return the outlay in the course of four, or five, years. The Board, accordingly, authorized the expenditure of £200 for the improvement of the Park, and it is now in such a state that, if desired, it may be prepared for the reception of a crop of grass in the spring. . . .

26. When the Board commenced the sale of the Lands of University, the Members felt themselves very much at a loss, in consequence of the want of recent information regarding the state of the different Lots. One inspection had been made of these Lands in 1828, soon after the date of the Patent conveying them to the University as an Endowment * Another inspection had been made in 1840. So many changes in the aspect of the Country had occurred since these times, that the Board felt strongly the insufficiency of Reports of inspection, so old in date, to guide them ; and, as the inspection of each Lot, as applied for, not only involved an enormous and unnecessary aggregate expense, but also created, in many cases, great delay and trouble, they resolved, early in the season, to employ a party to visit the University Lands, commencing with those to the Westward of Hamilton ; and, before the Winter set in, the inspection of that section of the Province was completed, except a very few Lots in the extreme West, and some scattered ones throughout the Township of Wilmot, which will be overtaken by other means. So soon as the state of the grounds in the country will permit, the inspection of the Eastern section of the Province will be entered upon ; and the Board anticipate that, before the close of the year, they will have reliable information about the present character and value of all these Lots. This inspection will, in part, explain why so large a sum is charged in the accounts for the inspection of University Lands.

27. The Endowment Board have also had their attention particularly directed to the valuable Lots in the Township of Hallowell, which appeared in general, to be in a very unsatisfactory state, —being occupied by various parties, and without any survey, or plan, showing their right of possessions having ever been made, excepting in the case of Gore G of Hallowell, and an unauthorized survey of Block B. Even, in the case of Gore G, there existed important differences with some of the neighbouring proprietors, arising from old, defective surveys which clashed one with the other. This state of things required a thorough examination, previous to an endeavor to effect an adjustment of the right of possessions with the Tenants. Doctor J. J. Hayes happening to be in the neighbourhood of these properties in 1851, visited Gore G, and brought before the Endowment Board important information. But, as it was evident, that nothing could be definitely determined on, either as to the proper proportion of rent to be charged, or the quantity and value of the Land held by the various parties, until further information was obtained, it was, therefore, resolved, early in the year, to employ Mr. Roche, of Port Hope, Land Surveyor, with whose intelligence and attention, in other matters, the Board had every reason to be satisfied, to make a thorough survey and inspection of all the Blocks of University Lands in Hallowell. The Survey of Block B, of 685 acres, and Block K, of 1,225¾ acres, adjoining each other, he completed early in the Summer of 1852 ; but the Survey of Block H, of 571¼ acres, and Gore G, of 1380 acres, he only overtook just before the setting in of Winter. In the two first Blocks the Lands have been offered to the Occupants at the values put on them by Mr. Roche, varying from 22s. 6d. to 30s. per acre, and, at these rates some sales have been effected. In the two latter Blocks, some preliminary arrangements are yet in progress for the settlement of the disputes about some of the boundaries of Lots already referred to. The Board feel, that any expense incurred in these surveys will, in the end, be amply repaid to the University. For example, Block K, which was only supposed to contain 800 acres, is, after survey, returned as containing

* See the Message of Sir Peregrine Maitland to the House of Assembly on this subject on page 238 of the First Volume of this Documentary History. See also pages 205, 264 and 317 of the same Volume.

1,225¾ acres ; and Block B, which was originally set down as containing 450 acres, is ascertained, on survey, to contain 685 acres.

28. The Survey account is another against which no objection can lie. Indeed it is to be regretted that the Council expended so little in the external management of the Lands. Had they retained permanently in their service one, or two, active and faithful travelling Agents, who would have added to the duties of surveying and valuation those of general and frequent inspection of the lands, collection of outstanding Rents, Interest and Purchase money, and the compilation of regular Reports on the actual state of the Land Endowment, the University would have profited to an extent which can now be understood only by those who have had an opportunity of scrutinizing the whole details of its accounts and records.

29. The more intimately the Board become acquainted with the position of the unsold Lands of the University, the more they are impressed with the justice of these remarks.

30. The Joint Management Account has been divided between the two Institutions—the University of Toronto and Upper Canada College in the same proportions as were determined on in 1851, nothing having occurred, in respect to the amount of work done for each, to cause an alteration in these proportions being made.

The whole cost of Joint Management for the year 1852 has been	£1,583 0s. 5d.
From which deduct paid by Upper Canada College	303 5s. 5d.
Leaving the share to be borne by the University at	£1,279 15s. 0d.

31. It has been seen that the sales of the Land Endowment during the year have been £27,686, 3s. 4d. besides, the Garrison Reserve lots, (already referred to), the Board would just notice, that five per cent. on this sum would more than cover the University share of Joint Management Account ; and the sales are very far indeed from being the only, or even the principal, business of the Endowment Office.

32. This Report would be very incomplete without some reference to the present position and future prospects of the University in regard to its Income. It has been already stated that the amount received for Income during the past year reached the sum of £16,710. 16s. 10d ; but the Senate must not suppose that such is the amount of Income to be depended on, either for this year, or the next, or perhaps for some years to come. A very strong effort has been made to realize arrears of Income ; and the large amount received in 1852, on account of Income, as compared with former years, is the result of that effort. An estimate of the income for the year 1853 has just been made, based upon the supposition that there were no arrears to be collected ; and the Endowment Board is of opinion, that the Estimate may be relied on as not beyond that mark. A copy of that Estimate accompanies this Report. It will be seen from it, that the Estimate reaches close upon £11,840. If the Senate will refer to the Account of the University Expenditure for 1852, it will be seen that it, apparently, reached the sum of £10,888 2s. 5d. But, if the "extraordinary" items are deducted, (as, for example, the payment to Professor Doctor King, also the item repaid as the proportion due by Upper Canada College for Joint Management, which, with other "extraordinary" items, have been estimated as amounting to £957 0s. 1d.). there will still be left, as the actual bona fide Expenditure for 1852, of £9,931 2s. 4d. ; and, if to this, is added the aggregate of the salaries attached to the new Professors' Chairs, it will be found that the probable University Expenditure for 1853 will exceed the estimated proper Income of that year by about £90 ; so that there is no margin for additional expenditure.

33. But, although the present Income is thus but barely sufficient to meet the current expenditure of the University, on the supposition that the appointments to the recently erected Chairs are immediately to be made, it appears to the Board that there need be no anxiety felt as to the ultimate amplitude of the Income. The Members of the Board are of the opinion that the following may be presented as a not unreasonable calculation :—

Assuming the Income to be at present, as shown by the Estimate alluded to, say in round numbers, to save fractions, £11,850, this will represent a capital, at six per cent. interest of	£197,500 0s. 0d.
But, inasmuch as about £2,250 of this amount is derived from Rents of leased lots, which remain to be sold, deduct the amount of capital at six per cent, representing that rent	37,500 0s. 0d.
Leaving a net balance of Capital at	£160,000 0s. 0d.
To this Balance add the price of 69,500 acres of the original University Endowment, still unsold, at say 20s. an acre. The average sales of the Board, leaving out the Port Hope Lots, have been, as already shewn, equal, at 38s. 5d. an acre to	£60,500 0s. 6d.
The average price per acre of the Port Hope property has been £85 10s. for the twelve and a quarter acres sold. These prices have now been advanced. There were, exclusive of Streets, about one hundred and eighty acres still for sale at the close of the year ; and the Board think that, in course of time, between the Port Hope and Port Stanley Properties, there may yet be realized	£25,000 0s. 0d

STATEMENT NUMBER ONE OF THE RECEIPTS AND EXPENEITURE ON ACCOUNT OF "INVESTMENT FUND" FOR THE YEAR 1852.

	£	s.	d.
To Balance on hand, 31st December, 1851	1,725	9	3
To Cash received on account of Sales of Land	11,976	13	6
To Cash received on account of Investments returned	1,124	4	0
To amount received from "Income Fund" for deposits in 1847 and 1849 on Lot 2 New Survey Rd. Wilmot, appropriation	31	0	0
To amount transferred from "Appropriation Fund," being balance on hand after paying expenses of Commission of Inquiry	155	10	6
	15,052	17	3
To Balance from "Income Fund" transferred	5,822	14	5
Toronto, December 31st, 1852.	£20,875	11	8

	£	s.	d.
By Cash invested in Provincial Debentures	10,500	0	0
By Cash invested in Mortgage and Real Estate	3,700	0	0
By Cash invested in Medical Building	100	0	0
By Cash invested in Office Furniture	2	0	0
By Cash invested in Maps for Office	3	5	0
By Cash invested in Books for Library	5	13	10
By Cash invested in Plan, etcetera, of Botanic Gardens	20	6	3
By Cash invested in Museum	2	10	0
By purchase money returned	6,529	6	7
	£20,875	11	8

STATEMENT NUMBER TWO OF RECEIPTS AND EXPENDITURE ON ACCOUNT OF THE "INCOME FUND" FOR THE YEAR 1852.

	£	s.	d.
Receipts from Various Sources	16,710	16	10
	£16,710	16	10

	£	s.	d.
Total Expenditure during the year 1852	10,888	2	5
By Balance transferred to the "Investment Fund"	5,822	14	5
	£16,710	16	10

STATEMENT NUMBER THREE OF RECEIPTS AND EXPENDITURE ON ACCOUNT OF THE "APPROPRIATION FUND" FOR YEAR 1852.

	£	s.	d.
Balance on hand on the 31st of December, 1851	1,731	10	6
	£1,731	10	6

	£	s.	d.
Tolal Expenditure during the year 1852	1,122	3	5
By Balance	609	7	1
	£1,731	10	6

Then, there is the University Park, which the Commission of Inquiry, in their printed Report, (page 33), state to have cost the University close upon £14,000; and they added: "This property may be regarded as a reliable and available asset of the University, which would, at any time, produce three, or four, times the total cost." The value of property in Toronto has risen since the Commission Report was presented to the Legislature; and looking in advance a few years, and making all necessary deductions for ground required for the Buildings and ornamental Ground, the Endowment Board think that they are not out of the way in looking upon this portion of the investment as an asset equal in value to . . . . . £50,000 0s. 0d.

Thus from all of these source, giving a productive capital of £304,500 0s. 0d

34. Besides, there are among the still unsold University Lands, in addition to the Port Hope and Port Stanley Properties, several very valuable Lots and half Lots in various places which will still further increase the aggregate fund when they can be advantageously disposed of. The Board, however, think it best to take no account of these Lots at present. It will, of course, be a number of years before the above estimated results can be realized: and, although the Board have thought it well to give their speculative opinion on this subject to the Senate, yet they do so in the confident expectation, that the Senate, before authorizing any new Expenditure, will first ascertain, by report from this Board, whether the existing Income is sufficient to bear it.

35. In connection with this subject, the Board would respectfully call the attention of the Senate to the concluding paragraph of the Report for 1851; of which, so far as has come to the knowledge of the Board, no notice has been taken.*

*Toronto, February 7th, 1853. David Buchan, Chairman.

Statement Number Four of the Receipts and Appropriations of Monies received in "Deposit" for the year 1852.*

	£	s.	d.
Balance on hand, December 31st, 1851	288	16	10
Cash on "Deposit" to December 31st, 1852	1,257	1	0
	£1,545	17	10

	£	s.	d.
Amount appropriated on account of "Investment Fund"	608	4	6
Amount appropriated on account of "Income Fund"	117	18	6
Amount received in "Deposit" to December 31st, 1852, returned	82	2	3
	808	5	3
By Balance	737	12	7
	£1,545	17	10

Toronto, December 31st, 1852. David Buchan, Chairman.

Summary Statement Number Five of the foregoing Accounts.

	£	s.	d.
To Cash received on account of "Investments", per Statement Number One	13,287	8	0
To Cash received on account of "Income", per Statement Number Two	16,710	16	10
To Cash received on account of "Deposits", per Statement Number Four	1,257	1	0
	£31,255	5	10
To Balance on hand from December 31st, 1851	3,785	16	7
	£35,041	2	5

	£	s.	d.
By Cash paid on account of Investments, as per detailed Statement Number One	14,346	5	1
By Cash paid on account of Income, as per detailed Statement Number Two	10,888	2	5
By Cash paid on account of Appropriation, as per Statement Number Three	1,122	3	5
By Cash paid on account of Deposits, as per Statement Number Four	808	5	2
	£27,164	16	2
By Balance on hand, deposited in Bank of Upper Canada	7,876	6	3
	£35,041	2	5

Toronto, December 31st, 1852. David Buchan, Chairman.

* I have condensed these financial statements by omitting various details given in them.

ESTIMATE OF THE INCOME OF THE UNIVERSITY OF TORONTO FOR THE YEAR, 1853.

	£	s.	d.
Rents of Leased Lots	2,020	5	0
Rents of Hamilton Property	600	0	0
Rents of Bay Street Property	118	10	0
Rents of Occupied Lots, not included in the first item	250	0	0
Interest on the sales of Land	4,137	15	0
Interest on Debentures	3,138	0	0
Interest on Mortgages	730	0	0
Interest on Promisory Notes	150	0	0
Interest on Bank Balances	75	0	0
Bank Stock Dividends	30	0	0
Fees on Contracts, Transfers and Deeds	150	0	0
Incidents	50	0	0
	£11,449	10	0
Interest on £6,500 at Credit in the Bank, and in process of Investment	390	0	0
	£11,839	10	0

TORONTO, February 7th, 1853. DAVID BUCHAN, Chairman

PROCEEDINGS OF THE TORONTO UNIVERSITY CONVOCATION, 1852.

The Honourable Peter Boyle de Blaquiére, being strongly opposed to the provisions of the Toronto University Bill, introduced into the House of Assembly by the Honourable Francis Hincks in the Session of 1852-3, resigned his Office as Chancellor of the University in October, 1852. On the Twenty-fifth of November, a Meeting of Convocation was called to elect his Successor. The Honourable Robert Baldwin, the Attorney-General West, was, on motion of Mr. Larratt W. Smith, seconded Mr. Adam Crooks, elected Chancellor in his place. Mr. Baldwin, having been notified of his election as Chancellor of the University, declined accepting the Office. Being personally urged to accept the nomination, he again declined, and addressed the following Letter to the Secretary of Convocation :—

I have, in compliance with your request, reconsidered the answer which I was prepared to have given to the Communication, of which you where the bearers,—that the Convocation of the University of Toronto has done me the honour of electing me to the high and honourable Office of their Chancellor. But I regret to have to say, that I have been unable to view the subject in any light which would justify me in altering the nature of my reply, as stated to you on the occasion of our personal interview.

Under the circumstances in which I am placed, I cannot consent to accept a position in regard to that great and important Provincial Institution which might either imply less hostility than I entertain to the course adopted by the present Government in regard to it, or impose upon me the obligation of embarking in an active opposition. This, as it appears to me, would, under present circumstances, be the consequence of the acceptance of the Chancellorship by me ; although not necessarily so as respects others differently situated. I, therefore, beg leave most respectfully to decline the honour intended me.

At the same time, I must request that, in reporting my answer to the Convocation, you will assure them of the deep sense which I entertain of the honour which they have done me, and the high satisfaction with which, under other circumstances, it would have been my pride to have accepted it.

TORONTO, December 8th, 1852. ROBERT BALDWIN.

At the same December Meeting of Convocation a stong feeling of hostility to certain terms of the new University Bill, as introduced into the Legislature by the Honourable Francis Hincks, was evinced, and a series of Resolutions on the subject were, on motion of Mr. Adam Crooks, agreed to.

These Resolutions were founded upon the Report of a Committee, to which was referred the consideration of the New University, Bill by the House of Convocation, and as adopted by that House on the 25th day of November, 1852.

WHEREAS, during the present Session of the Provincial Parliament, a Bill, relative to this University, has been introduced by the Inspector General.

AND WHEREAS, so much of the Charter of our Gracious Founder, His late Majesty, King George the Fourth, as may be inconsistent with the said Act, as also certain Acts of the Legislature of Canada in reference to this University, are hereby intended to be repealed.

AND WHEREAS, under the Fourth Section of the said proposed Act it is intended, that, in place and stead of the University Corporation, now existing, a new Corporation shall be substituted, to consist of a Chancellor, of a Vice-Chancellor, and such number of other Members of the Senate, as the Governor of this Province should, from time to time, appoint under his Hand and Seal at Arms, and as should be appointed by the Senate under the power hereby intended to be given and under the Fifth Section thereof, that the said Chancellor should be appointed by the said Governor in the manner aforesaid.

AND WHEREAS, under the Tenth and Nineteenth Sections of the said Act, it is further proposed that the said Chanceller, Vice-chancellor, and Members of the Senate should have the regulation and the power to confer the several Degrees in Arts, Law and Medicine, in the said intended University.

1. *Be it Resolved*,—That the House of Convocation protests against any of the said proposed enactments becoming Law.

Firstly,—Because, that peculiar rights and priviliges, and, especially the power of conferring Degrees within the University were granted to this House in, and by, the said original Charter, wherein it was directed and ordained, that the Chancellor, President and Professors of the said King's College, and all persons admitted therein to the Degree of Master of Arts, or to any Degree in Divinity, Law, or Medicine, should be deemed and taken to be Members of this House of Convocation : and that, as such Members, should have exercise and enjoy all such, and the like, privileges as were then enjoyed by the Members of the Convocation of the University of Oxford ; that the same were preserved inviolate by the Statute of the Parliament of Upper Canada, passed in 1837, in the Seventh Year of the Reign of His Late Majesty, King William the Fourth, and the Statute of the Parliament of United Canada, passed in the Twelfth Year of our Sovereign Lady, the now Queen, not only recognized the same, but conferred upon the House the additional privileges of electing the Chancellor, pro-Vice-Chancellor, and the fifth Member of the Caput of this University.

That the said rights and privileges have, therefore, hereby become the vested rights and privileges of this House, and, if the said proposed enactments shall become law, the same will in effect be alienated and destroyed.

Secondly,—Because, that, under the said original Charter, the individuals of which this Corporation was to be composed were declared to be the Chancellor and Professors, and all persons who should be duly matriculated into and admitted as Scholars of the said College, and their Successors forever, a distinct and separate Body Politic and Corporate, in deed and in name and style of : "The Chancellor, President and Scholars of King's College, at York, in the Province of Upper Canada," and all and singular the Rights, Powers and Privileges conferred by the said original Charter were, by the Statute of the Provincial Parliament, preserved and confirmed to the Chancellor, Masters and Scholars of the University of Toronto, and their Successors forever.

That certain Corporate and other Rights and Privileges have, therefore, become the Vested Rights and Privileges, not only of each individual Member of this House of Convocation but of each individual matriculated into and admitted as a Student of this University ; and, if the said proposed enactments shall become law, the same will be virtually annihilated.

Thirdly, Because, that such a complete and utter extinction of Vested Rights is contrary to every principle of law, morality and sound public policy, and is in direct violation of the Constitutional Rights and Liberties which are the birthright of each of the Members of this House of Convocation, as Subjects of the British Crown.

Fourthly,– Because, that the said proposed enactment sanctions a principle endangering the existence of any National University, and directly opposed to the spirit of previous Provincial legislation, upon the subject which was expressly declared to have been:—

"As well to meet the desires and circumstances of the Country, in compliance with the gracious invitation of his late Majesty King William the Fourth, as for the purpose of preventing the evil consequences which frequent appeals to Parliament on the subject of the Constitution and Government of this University, are calculated to produce."

Fifthly,—Because, that under the proposed Bill, it is possible that the Members of the Governing Body of the University may not be chosen from among those whose academic education has embued them with a Collegiate spirit, but may be drawn from an extraneous source, without reference to their connection with the University, or their literary, or scientific, qualifications.

Sixthly,—Because, that, inasmuch as each matriculated Student may obtain a seat in this House of Convocation, and, thereby become a common part of the government of this University, with peculiar Rights and Privileges for ever, the feeling of interest and regard of the Alumni of this Institution towards this Seat of Learning is not only thereby perpetuated, but those mutual feelings of friendship and esteem towards each other, which are the most desirable results of a University Education, and the influence of which is of peculiar value in the present state of this Province, are thereby also strengthened and preserved; and the present Bill, destroying this House of Convocation will, therefore, lesson the usefulness and weaken the beneficial effect of University Education in the formation of the future character of the people of this Province.

Be it further Resolved,—That, instead of the Rights and Privileges of this House being thus, in effect, annihilated, it is expedient that the same should not only be preserved inviolate, but should further be extended for the more effectual creation and preservation throughout the whole body of the Students of this University, of that spirit, without which, neither vitality, nor usefulness, can, in any Institution, exist, and that the following additional Right and Privilege would more particularly promote that end. That is to say,—

That the right of electing a Representative to the Parliament of United Canada, be conferred upon this House, as was contemplated in and by the said original Charter and Statutes of the Provincial Parliament *

And be it further Resolved,—That the Memorial, or Remonstrance of this House, embodying the foregoing Resolutions, be presented to the Governor-in-Council and the two Houses of the Provincial Legislature—and that the Chancellor, or the Presiding Officer of the House for the time being, with a Committee, composed of the President and Proctors, be charged with carrying the same into effect.‡

CHAPTER XVII.

PROCEEDINGS OF THE CHURCHES ON UNIVERSITY MATTERS.

I. THE METHODIST CHURCH, REPRESENTING VICTORIA COLLEGE, 1852.

ADDRESS OF THE CONFERENCE OF 1852 TO THE MEMBERS AND FRIENDS OF THE WESLEYAN METHODIST CHURCH IN CANADA, IN BEHALF OF VICTORIA COLLEGE, COBOURG.

Having given our most careful and anxious consideration to the question of endowing and increasing the efficiency and usefulness of Victoria College, and pledged from our scanty subsistence upwards of Nine Thousand dollars, ($9,000,) for that purpose; we desire to lay before you a brief statement of the circumstances connected with the Institution, and to appeal to your tried and well-known liberality in its support,—an Institution the creation of your own intel ligent piety, and we hope will long remain one of its noblest monuments and effective instrumentalities.

2 It is now more than Twenty Years since the idea of establishing a Seminary of learning by our Church was first entertained.§ An appeal was made later to the enlightened liberality of our brethren and friends, which resulted in subscriptions and donations of some Twelve Thousand pounds, (£12,000,) and the erection of the Buildings in Cobourg of the Upper

* The first movement in favour of a representation of the University, (when formed,) was made in 1819. See Message of Sir Peregrine Maitland to the House of Assembly, dated the 22nd of June, 1819, on page 138 of the First Volume of this Documentary History. The Act providing for this representation was passed in 1820, but it never came into operation, for the reason that no Provincial University existed until 1842. The matfer was brought before the House of Assembly, by Mr. Mahlon Burwell, in 1833. See page 134 of the same First Volume. See also page 174 of the same First Volume for a copy of the enactment on the subject in 1820.

‡ At a subsequent Meeting of Convocation, a Member stated that, since the former Meeting, the Inspector General had arrived in Toronto. On being spoken to on the subject of the (foregoing) Resolutions, he said that "the privileges solicited by Convocation in its Resolutions should receive the most cordial support of himself and his friends."

§ The History of the "Founding of Upper Canada Academy in 1829, 30," is given in full detail in Chapter One of the Second Volume of this Documentary History.

Canada Academy. A Royal Charter was obtained in 1836 ;* and, in 1841, the Institution was incorporated by an Act of the Provincial Legislature into a College, with power to confer Degrees in the Arts and Faculties.‡ But the original objects of the Institution were still kept steadily in view, namely, providing for a practical and scientific English Education and instruction in the Elementary Classics and Mathematics.

3 During the last six years the Provincial System of University Education has been under public discussion and parliamentary deliberation ; and, under such circumstances, we were in suspense as to the course which our united duty to our Country and our Church might require us to pursue. On the one hand, we feel it our duty, as citizens, to co-operate with the Legislature and Government of the Country, as far as possible, in promoting sound Christian Education among our Canadian Youth ; and, on the other hand, we feel it our duty as Christians to fulfil the trust reposed in us by the Founders and Supporters of the College, and perpetuate, with increased efficiency, this important agency of our Church. While, therefore, the University Question was pending, it appeared unadvisable, if not impracticable, to adopt decisive and definite measures for the endowment and permanent efficiency of Victoria College.

4. Our course of duty appears to be marked out, and that course clearly is, to pursue our own work in our own way, and to unite as the heart of one man, to carry out the primary and noble objects of our Seminary in the place, and amidst the associations, of its first establishment.

5. It now becomes us to ask ourselves : "What is our duty ? What do piety, benevolence, patriotism demand at our hands ? What contribution and effort are we called upon to make in behalf of a work which involves the very best interests of so many youth of our Church and Country,—interests which have occupied so many anxious deliberations, which have been the subjects of so many prayers, and which have prompted to so much labour and exertion.§

6. We think our Brethren and Friends throughout Canada will agree with us, that our Church would fail in her duty not to have, at least, one Seminary of Learning. Such Institutions are wants which are felt by every Religious Community of any extent, or intelligence, both in Europe and America. They exist in connection with every Religious Denomination in England, and abound amongst the Religious Denominations in America. Several Colleges have been established by the Wesleyan Church in England ; and, in the United States, the Methodist Church has established no less than thirty University Colleges, and upwards of seventy Seminaries, or Academies. In that Church there are no less than thirty-five Annual Conferences ; and nearly every Conference has founded a College. or Academy, and some of the Conferences more than one. It is true, all these Colleges and Academies have received more, or less, aid from the State ; for it is the policy of nearly all the State Legislatures, by means of Educational Grants to Colleges and Academies, to encourage and develope the resources and exertions of the Religious Denominations, as well as of Municipalities ; and it is by this varied and liberal system of calling forth Religious, Patriotic, and local Zeal in the common cause of Education, that mental culture is so widely imparted, and knowledge is spread throughout their whole population. But, at the same time, their Denominational Seminaries, which, besides their direct teaching, contribute so much to elevate the moral tone of all other Colleges and Schools, are chiefly established and sustained by the Denominations themselves.

7. It was a fine sight to witness, a year, or two, since, the exertions put forth by the Baptist Denomination for the endowment of one of their many Colleges in the neighbouring States, Brown University, established many years since, in the small State of Rhode Island, and presided over by that eminent Baptist Clergyman, the Reverend Doctor Francis Wayland, had become cramped and embarrassed in its resources, though it had received considerable endowment from the State ; but, on an appeal being made in its behalf, subscriptions were obtained in the course of a few months to the amount of One Hundred Thousand dollars, ($100,000,) for its Endowment. And still more recently the Genesee Conference of the Methodist Church resolved to elevate the Lima Seminary into a College, and, with that object in view, succeeded in obtaining One Hundred and Thirty Thousand dollars, ($130,000,) or upwards, in subscriptions as an Endowment for the proposed College, in addition to Five Thousand dollars, ($5,000,) granted by the State. There are more Ministers and Members in the Wesleyan Methodist Church in Canada than under the care of the Genesee Conference. Surely every Friend of our Church will say that she ought not only to have her Seminary of Learning, but that it ought to be liberally endowed.

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*For the history of the efforts made by Doctor Ryerson in 1836 to obtain this Charter, see Chapter Fifteen of the Second Volume of this Documentary History.

‡ The Act Incorporating the Upper Canada Academy as Victoria College, is printed on pages 57-61 of the Fourth Volume of this History.

§ For tribute paid to the promoters of the Upper Canada Academy, in a Report of a Committee of the House of Assembly in 1838, see page 122 of the Third Volume of this History.

8. For, secondly, if there be unity of sentiment, as to the College itself, there can scarcely be less unity, as to the necessity of endowing it. No such Seminary is self-supporting, except where the fees of tuition are fixed at Sixty, or Seventy, pounds per annum, instead of at Six, or Seven, pounds. The experience of all Countries, and the practise of all Religious Denominations, attest the necessity of endowing every Seminary of Learning, whether for the higher, or elementary, branches of a Liberal Education. Even our Common Schools are endowed, or aided, by grants from the School Fund, in addition to the ordinary fees of tuition, in order to make up even a small salary of a single Teacher; the same is the case with the Grammar Schools, to each of which, in most instances, the sum of One Hundred pounds, (£100,) per annum is granted by way of endowment, for a single Teacher, in addition to fees and all other contributions from local sources.

9. All the Colleges and Seminaries in Lower Canada are endowed to a less, or greater, amount; Upper Canada College has received by way of endowment, in addition to the fees of tuition, some Three Thousand pounds, (£3,000), per annum; and the Endowment of Toronto University exceeds Ten Thousand pounds, (£10,000,) per annum; and some contend that that is not too large an Endowment. All the Religious Donominations in the United States, (where the most stringent economy is practised), endow their Colleges and Academies, and sometimes very largely, chiefly by voluntary subscriptions, though aided to some extent by Grants from the State. In addition, then, to the small Legislative Grant of Five Hundred pounds, (£500,) per annum, made in aid of Victoria College, it must be apparent to all, that an endowment from other sources is indispensible, in order to accomplish the objects of the Institution.

10. And we think you will also agree with us, that, in addition to any aid which may be granted by the Legislature, there are only the following modes of endowing Victoria College, —namely, by Donations, by Annual Subscriptions, and by Scholarships. A system of Scholarships has been devised, which has been tried and adopted with great success and advantage to all parties concerned, by our brethren in the neighbouring State of New York, and other States; and which it is proposed to adopt, with a view to the advancement of Victoria College. The scheme is as follows,—

Each Scholarship is valued at Twenty-five pounds, (£25,) or One hundred dollars, ($100,) —payable at the end of five years, with the interest payable annually in advance. In return, the holder of such Scholarship has a right to the tuition of one pupil, or student, for Twenty-five years, in all the branches of the prescribed course of instruction in the College. If the holder of the Scholarship has no son of his own to educate, he can designate the son of any other person, or any worthy lad, or young man, whom he may think fit, as his scholar in the College. A cheaper method to secure a sound Christian education for your sons, or for the sons of your friends, can scarcely be conceived, while you, at the same time, contribute to endow and extend the usefulness of the College. Those who are unable to take Scholarships, may aid by donations, or annual subscriptions. By such means, our brethren of the Methodist Church in the United States have established and endowed numbers of Colleges and Academies; and surely by such means the Members and Friends of the Wesleyan Methodist Church in Canada can endow one Institution already established, which combines in its operations the threefold office of a Practical and Scientific English School, a Classical Academy and a University College.

11. Under such circumstances, and upon such grounds, we think Victoria College has peculiar claims to your liberal support, and that of the public at large. As our Church was the first in her labours of ministrations and ordinances among the new and wide-spread settlements of Upper Canada, so was she, the first in establishing at Cobourg, by large and voluntary subscriptions, a Seminary of Learning for the education of Canadian youth—a Seminary within whose walls upwards of one thousand of those youth have been instructed for a shorter, or longer, time, and many of them have finished their education,—a Seminary, in which as many pupils of other Religious Persuasions have been educated as those of the Wesleyan Methodist Church,—in which the religious morals and interests of youth are especially cared for, while the wishes of their parents in regard to Religious Instruction are conscientiously observed.

12. If the Members and Friends of our Church in 1832 could subscribe so largely to erect such an Institution in Cobourg, surely they can contribute equally in 1852 to sustain and render it all that the best interests of our children and Country require. There are hundreds of your sons on whom you wish to bestow a better English Education than they can obtain in a Common, or Grammar, School; there are also hundreds more of them, to whom you wish to impart more than an English Education. You cannot procure for them those priceless advantages in your own neighbourhoods; and where can you send them from home with so much safety to their moral and religious interests, and where so many helps and facilities will be provided for their intellectual culture and improvement, as to a College, in which Instructors of undoubted piety, attainments and ability, will employ all their energies to secure to the

youth committed to their care all the advantages of watchful oversight, skillful teaching, and affectionate solicitude

13. Very dear Brethren and Friends, we have no more personal interest in this work than any one of those whom we address. It is the part of the mission of our Church ; it is a part of the duty which we owe to our offspring and to our Country. We ask you to do no more than we do ourselves to the utmost of our humble means ; we join with you, and we entreat each Quarterly Meeting and each Member and Friend of the Church to co-operate with us in promoting this work. Let us imitate the example of our Fathers and Brethren on both sides of the Atlantic ; let us have a Seminary of Learning worthy of our Church, worthy of our Country, and such as thousands of its youth shall feel it a privilege and an honour to call their *Alma Mater*.

Signed by order and in behalf of the Conference of the Wesleyan Methodist Church in Canada.

KINGSTON, June 10th, 1852.

ENOCH WOOD, President.
GEORGE R. SANDERSON, Secretary.

EDUCATION OF THE INDIANS BY THE WESLEYAN METHODIST CHURCH, 1852.

In a further Address by the Conference the following reference is made to the subject of the Education of the Indians by that Church :—

Another year's experience prompts us to respond most heartily to the strong language of acknowledgement and thankfulness which you have employed in reference to the countenance and co-operation extended to our Missionary work amongst the Indians, by His Excellency the Earl of Elgin, and his Brother, the Honourable Colonel Bruce, Chief Superintendent of Indian Affairs. His Excellency has evinced the deepest interest in the establishment and extension of our Industrial Schools amongst the Indians, and has cordially co-operated with us in that most important work. Colonel Bruce has just completed a tour of inspection to those Schools, and has, on his return, stopped a day in this City, during the present Session of our Conference, for the express purpose of conferring with the Superintendent of Missions and our Missionaries, in relation to the Indian Industrial Schools, in order to devise means to extend their usefulness to a larger number of Indian children,—having been so much gratified at what he had witnessed at the Schools, and their success having so greatly exceeded his anticipations. Colonel Bruce was introduced to our Conference, and addresed to us a few remarks, expressing, on behalf of His Excellency Lord Elgin, as well as for himself, the deep sense entertained by His Excellency of the value of the labours of our Missionaries and Teachers among the Indians of Upper Canada.

DENOMINATIONAL COLLEGES—THEIR CONNECTION WITH A SYSTEM OF PUBLIC INSTRUCTION.

As part of the closing Exercises of Victoria College in May, 1852, the Reverend Doctor Ryerson delivered an Address on "Denominational College and Academies,—their connection with Our System of Public Instruction, and their Claims to State Support"

Doctor Ryerson held clear views on this subject and on the entire compatibility of the union of Denominational Colleges and Academies and non-Denominational Elementary Schools in the same System of Public Instruction. Many persons held the opposite view—notably Doctor Strachan, the able and energetic Bishop of Toronto,—and maintained that both classes of such institutions should be Denominational, and that both should equally receive aid from the State. With a view to discuss the question, and to demonstrate the correctness of his view on this,—at that time, a popularly debatable question,—Doctor Ryerson delivered the following Address at a public Meeting held in Cobourg, in connection with the closing Academic Exercises of Victoria College in May 1852. He said :—

When I received the request to deliver a Public Address, during one evening of the Annual Public Examination of the Students of Victoria College, the first inquiry that occupied my thoughts, in the event of my being able to comply with the request made, related to the subject most proper for the occasion. I recollected, that, in Addresses and Official Papers, now before the Public, I had discussed the Principles, Subjects and Machinery of a System of Public Instruction ; the importance of Collegiate Instruction ; "The Importance of Education to an Agricultural People ; * the Nature and Importance of Education to a Manufacturing People, and also its Importance to a Free People,"† viewing the subject, at length, in connection with the Agricultural, the Mechanical and Manufacturing interests of our Country, together with its Civil and Municipal Institutions ; the obligations of the Educated Classes of Society ; the Social advancement of Society at large ; and, also, Political Economy as a Branch of Public Education. But it occurred to me, that there was one subject connected with the System of Public Instruction which I had not discussed ; a subject frequently talked and written about, but very little understood, a subject deeply involving the educational, social and religious interests of the whole Country—a subject on which our Legislature must soon decide, on which Government had not avowed any particular course of policy, and which is, therefore, still an open question for discussion in any quarter and in any place That is the subject to which I now invite your attention, and on which I take the liberty to state what appears to me most conductive to the interest of our common Country. The question for consideration, reduced to its simplest form, is, should Denominational agency be, in any respect, recognized and countenanced in our System of Public Instruction ?

2. In discussing this question, I assume three points :

1. That our System of Public Instruction, from the Primary School up to the University, must be Christian, based on Christian principles, and recognizing Religious Instruction, as approved by the Members of the Religious Persuasions in the Country. Ignorance itself is scarcely a greater calamity for a Country, than a godless System of Public Instruction ; nor are there many, if any, advocates of such a system in Upper Canada.

2. I assume, Secondly, that our System of Public Instruction should command the confidence and support of the Members generally of the Religious Persuasions in the Country. They embody and represent the aggregate of the Christianity of the Country ; and no educational system can succeed in a Country which wars with the public conscience. I do not mean, that any system has been, or can be, devised, to which individuals will not take exceptions on religious grounds ; and against which individuals, or portions of Religious Communities, may not array themselves under religious pretexts. But no conscience can be wounded where no Creed is infringed, and where the free enjoyment of every Creed is protected,—where, what is common to all, is enjoined, and where, what is peculiar to each, is left to each to inculcate ; and a solitary editorial, or two, and an odd paragraph, or so, in a Triennial Charge,—adapted for effect abroad, rather than at home,—constitute such obvious exceptions and contrasts to the general views of the Public on the subject, as not to be worthy of serious notice . . .

3. The Denominational Collegiate System which I advocate is in harmony with the fundamental principles of our Common School System.

The fundamental principle of the Common School is two-fold.

First. The right of the Parent and Pastor to provide Religious Instruction for their children ; and to have facilities for that purpose. While the law protects each pupil from compulsory attendance at any Religious Reading, or Exercise, against the wish of his Parent ; it also provides that, within that limitation, "Pupils shall be allowed to receive such Religious Instructions as their Parents and Guardians shall desire, according to the General Regulations, which shall be provided according to law." The General Regulations provide that the Parent may make discretionary arrangements with the Teacher on the subject ; and that the Clergyman of any Church shall have the right to any School House being within his charge for one hour in the week between four and five, for the Religious Instruction of the pupils of his own Church. Be it observed, then, that the supreme right of the Parent, and the corresponding right of the Pastor, in regard to the Religious Instruction of youth, even in connection with Day Schools, where children are with their parents more than half of each week day, and the whole of each Sunday, is a fundamental principle of the Common School System.‖ The less, or greater extent to which the right may be excercised in various places, does not effect the principle, or right itself, which is fundamental in the System.

* This Address on "The Importance of Education to an Agricultural People" will be found on pages 140-148 of the Seventh Volume of this Documentary History.

† This Address on "The Nature and Importance of Education to a Manufacturing and Free People," and others named, may be given in subsequent Volumes.

‖ The duty of the Parent and the Pastor to see to the proper religious training of the children is fully and elaborately discussed and enforced by the Chief Superintendent of Education in his Annual Report for 1851. See pages 33-37 of this Volume.

4. The second fundamental principle in the School System is the co-operation and aid of the State with each locality, or section of the community, as a condition of, and in proportion to, local effort This is a vital principle of the School System, and pervades it throughout, and is a chief element of its success. No public aid is given until a School House is provided, and a legally qualified Teacher is employed, when public aid is then given in proportion to the work done in the School ; that is, in proportion to the number of children taught, and the length of time the School is kept open ; and public aid is given for the purpose of providing Maps and Apparatus, Prize Books and Libraries, in proportion to the amount furnished from local sources. To the application of that principle between the State and the inhabitants of localities there is no exception whatever, except in the single case of distributing a sum not exceeding Five hundred pounds, (£500,) per annum in aid of Poor School Sections in new Townships ; and then the local effort of the ratepayers must precede their application for a special grant.

Such are the two fundamental principles of the School System, on which I have more than once dwelt at large in Official Reports.

5. Now apply these principles to the Collegiate System of the Country. First, the united right and duty of the Parent and Pastor. Should that be suspended when the son is away from home, or should it be provided for? Let parental affection and conscience, and not blind, or heartless, partisanship, reply.* If, then, the combined care and duty of the Parent and Pastor are to be provided for, as far as possible, when the son is pursuing the higher part of his education, for which he must leave home, can that be done best in a Denominational, or non-Denominational, Colleges? But one answer can be given to this question. The religious and moral principles, feelings, and habits of youth are paramount. Scepticism and Partizanship may sneer at them as "Sectarian", but Religion and Conscience will hold them as supreme. If the Parent has the right to secure the Religious Instruction and oversight of his son at home, in connection with his school education, has he not a right to do so when his son is abroad? and is not the State in duty bound to afford him the best facilities for that purpose? And how can that be done so effectually,—nay, how can it be effectually done at all,—except in a College, which, while it gives the secular education required by the State, responds to the Parent's heart and faith to secure the higher interests which are beyond all human computation, and, without the cultivation of which, society itself cannot exist? It is a mystery of mysteries, that men of conscience, men of religious principle and feeling, can be so far blinded by sectarian jealousy and partizanship, as to desire for one moment to withhold from youth, at the most feeble, most tempted, most eventful, period of their educational training, the most potent guards, helps, and influences to resist and escape the snares and seductions of vice, and to acquire and become established in those principles, feelings, and habits which will make them true Christians, at the same time that they are educated men. Even in the interests of civilization itself, what is religious and moral stands far before what is merely scholastic and refined.

6. The Honourable Edward Everett of Massachusetts has truly said in a late Address ; "It is not political nor military power, but moral sentiments, principally, under the guidance and influence of religious zeal, that has, in all ages, civilized the world." What creates civilization can alone preserve and advance it. The great question, after all, in the present discussion, is not which system will teach the most Classics, Mathematics, and other necessary subjects, (although I shall consider the question in this light presently), but which system will best protect, develop, and establish those higher principles of action, which are vastly more important to a Country itself,—apart from other and immortal considerations,—than any amount of intellectual attainments in certain branches of secular knowledge. Colleges under religious control may fall short of their duty and their power of religious and moral influence ; but they must be, as a general rule, vastly better and safer than a College of no religious control, or character, at all. At all events, one class of citizens have much more valid claims to public aid for a College that will combine the advantages of both secular and religious education, than have another class of citizens to public aid for a College which confers no benefit beyond secular teaching alone. It is not the Sect, it is society at large, that most profits by the high religious principles and character of its educated men. An efficient religious College must confer a much greater benefit upon the State than a non-religious College can, and must be more the benefactor of the State than the State can be to it, by bestowing any ordinary amount of endowment. It is, therefore, in harmony with the first fundamental principle of the Common School System, as well as with the highest interests of society at large, that the best facilities be provided for all that is affectionate in the Parent and faithful in the Pastor, during the away-from-home education of youth ; and that in a College under religious control, whether that control be of the Church of the Parent, or not. . .

*For remarks on the continuance of "Home-life" in Trinity College by Doctor Strachan, see pages 64, 65 of this Volume. See also the appeal of Chief Justice Robinson to the Students of the College to take full advantage of the religious training which they may receive during their College career, on pages 67,68 of this same Volume.

NOTE. For further remarks by Doctor Ryerson, showing "The Case of College and Higher Institutions as being different from that of ordinary Schools" see page 37 of this Volume.

II. THE PRESBYTERIAN CHURCH (OF SCOTLAND,) REPRESENTING QUEEN'S COLLEGE.

1. MEETING OF THE SYNOD OF THE PRESBYTERIAN CHURCH (OF SCOTLAND) IN CANADA.

At a Meeting of the Synod of the Presbyterian Church (of Scotland) in Canada, held on the 7th of July, 1852.

The Synod proceeded to the election of three Trustees for Queen's College, at Kingston, in room of the Reverend James George, the Reverend James C. Muir and the Reverend Andrew Bell, who retire from office at this time, according to the terms of the Royal Charter of Queen's College. The Reverend James George, the Reverend James C. Muir and the Reverend John McMorine were unanimously elected in place of the retiring Trustees, and their names were placed at the top of the Roll ; and the Clerk was instructed to intimate the same to the Board of Trustees of Queen's College.

The Records of the Commission of Synod were called for and produced, and the Synod had read the proceedings of the Commission during the past year. After lengthened discussion thereon, on motion of the Reverend Doctor Cook, seconded by the Reverend Professor Smith, the following deliverance was agreed to, videlicet :—

"The Synod disapprove of the deliverance of the Commission at Montreal, on the 3rd of February last, in respect of the grant of Five Hundred pounds, (£500), to Queen's College, from the Clergy Reserve Commissioners, as tending to throw unnecessary obstacles in the way of a highly desirable object ; and the Synod do cordially approve of the said grant, as enimently called for in the present circumstances of this Church, and entirely in accordance with both the letter and spirit of the "Clergy Reserves Act."

2. PROCEEDINGS OF THE BOARD OF QUEEN'S COLLEGE, KINGSTON, 1852.

At the General Meeting of the Board, held on the 15th July, 1852, the Honourable John Hamilton, was unanimously re-elected Chairman of the Board. Messieurs George Malloch, John Mowat, Francis A. Harper and John Thomson were re-elected Lay Trustees, and Mr. John Young, of Hamilton, was elected a Trustee, in the room of the late Mr. Alexander Pringle . . .

It was resolved that there should be but one General Meeting of the Board in each year ; to be held after the Annual Meeting of the Synod. Should it be deemed necessary to call a General Meeting of the Board, at any other period, the reasons and objects for calling such Meeting should accompany the notice to the Members, as required by the Charter. It was also resolved that the Members of the Board resident in Kingston and its vicinity, with any other Members in actual attendance there, be an Executive Committee, (three of whom shall form a quorum), to meet, from time to time, for the transaction of business. The Executive Committee to report its proceedings to the Board at its General Meeting.

The thanks of the Board were voted to the Reverend Doctor Machar, the Reverend James George, and the Reverend Hugh Urquhart for their zeal and services, as Professors, during some years past ; and they were earnestly requested to continue their services until permanent Professors could be obtained ; and, in the event of any difficulty being experienced in doing so the Executive Committee were authorized to fill the vacancies from other sources . . .

Mr. Andrew Drummond, was appointed Treasurer of Queen's College, and the thanks of the Board were voted to Mr. Francis A. Harper, for his valuable services during the period he held that office . . .

The Executive Committee were authorized to secure the services of some efficient person to act as Secretary of the Board, in the room of Mr. Ireland, resigned ; and the thanks of the Board were voted to Mr. Ireland for the zeal, diligence, and correctness with which he had discharged his duties.

3. PROCEEDINGS OF THE EXECUTIVE COMMITTEE OF THE BOARD OF QUEEN'S COLLEGE.

The Executive Committee met on the 3rd of August, 1852, when Mr George L. Mowat was requested to act as Secretary, pro tem ; and Mr. Drummond, the Treasurer, was requested to pay Mr. Ireland his salary as Secretary up to that time . . .

The Very Reverend, the Principal was authorized to request the Reverend James George and the Reverend Hugh Urquhart to resume their duties as Professors for the next Session . . .

At a Meeting of the Executive Committee, held on the 5th of October, Mr. Hamilton read a Letter from the Provincial Secretary's Office, dated the 9th of September, 1852, acknowledging the receipt of a Petition, signed by him, as Chairman, praying for a Legislative grant on behalf of Queen's College. Mr. Hamilton also stated that he had sent to the House of Assembly, through the Honourable John A. Macdonald, a Petition, praying for a grant to the College of a portion of the land in this City, formerly known as the Murney Property . . .

The Very Reverend the Principal read extracts from Letters received from the Reverend James George, and the Reverend Hugh Urquhart, intimating their intention, in compliance with the wishes of the Executive Committee, to assume their respective duties as Professors of Theology during the current Session . . .

A Letter from the Provincial Secretary's Office was read, acknowledging the receipt of a Petition, praying for a grant of land for a site for the College . . .

III. THE FREE PRESBYTERIAN CHURCH OF CANADA, REPRESENTING KNOX COLLEGE.

At a Meeting of the Synod of the Free Presbyterian Church of Canada, held in 1852, the Reports of the Presbyteries on the Eighth clause of the proposed Charter of Incorporation for Knox College were received. Reports were also given in by the Presbyteries of Hamilton, Cobourg, Kingston, Brockville, and Montreal. The Reports were read, and after discussion the following motion was agreed to, videlicet :—

The Synod, considering the varieties of opinions on the subject of the Charter in question, and considering further, that one great benefit contemplated by the proposed Charter has been practically gained by the admission of a Representative of the Church and College into the Senate of the University of Toronto, delay, in the meantime, any further application for such Charter.

The Synod called for the Report of the College Committee, which was given in and read by the Reverend Doctor Michael Willis, Convener. On motion made and seconded, it was agreed to receive the Report, and to appoint a Committee to confer with the Professors of Knox College on the subjects referred to in the Report, and to report the results to the Synod at a future diet. The Committee to consist of the Reverend John Bayne, Convener, and the Reverend Messieurs Young, Gregg, Macpherson, Lowrie, Ure and Fraser, Ministers ; and Messieurs Paterson, Ferrier, McLellan, and Burns, Elders.

The Committee to whom was referred the consideration of the various points contained in the College Report, gave in a Report, which being maturely considered, was adopted, and in terms thereof, the Synod,—

Resolved 1. That, considering the increasing facilities, throughout the Province, for the preliminary training of Applicants for admission to Knox College, no permanent provisions for this object is required to be made, in connection with the College ; but that, as it is desirable that some interim arrangement should be made, the Professors' Court be empowered, after conference with the College Committee, to make such arrangement as they shall see fit, charging the College Fund with any additional expense which may be necessary ; which, the Synod is of opinion, will not be to any great extent.

Resolved 2. That the Professors' Court be instructed to prepare a full draft of what they consider necessary as to the Curriculum of Study, and to report to the ensuing Synod.

Resolved 3. That the attention of the Professors' Court be called to the great importance of the Students being carefully trained in public reading and speaking.

Resolved 4. That a responsible Librarian be appointed to take charge of the valuable and increasing Library connected with the College ; his salary not to exceed Twenty pounds, (£20,) per annum.

Resolved 5. That, while it is regarded as inexpedient, at present, to make any general appeal to the people for the raising of funds for College Buildings, or the endowment of Professorships, the attention of the Church be directed, in the meantime, to these most important and necessary objects.

Resolved 6. That the College Committee be empowered to make arrangements about the Boarding-House, with the injunction, that, if they see fit to continue that establishment, they should endeavour to free the College Fund, as much as possible, from any expense in connection with it.

IV. THE CHURCH OF ENGLAND, REPRESENTING TRINITY COLLEGE.

Early in March, 1852, Doctor Strachan, Church of England Bishop of Toronto, issued an Appeal, in the form of a Pastoral, to the Members of that Church in the Diocese, on behalf of Trinity College, and informing them that he had appointed two of his Clergy to solicit their generous subscriptions to Trinity College. To the Pastoral was appended a Statement in regard to the condition and prospects of the College. The Pastoral was as follows:—

Permit me to bespeak your kind attention to the following Appeal, and your active and generous exertions in promoting its object.

1. It will in a few days be submitted more formally to your consideration by my worthy Presbyters and Friends, the Reverend Thomas Brock Fuller, Rural Dean and Rector of Thorold, and the Reverend Saltern Givens, Rural Dean and Rector of Springfield, who have voluntarily undertaken to solicit your liberality in behalf of Trinity College. The former (D.V.) intends to visit the Districts west of Toronto, and the latter the Districts east of that City.

2. I consider the Council of Trinity College to be justified, by many reasons, in making this affectionate appeal to the Members of the Church of England in this Diocese. Many have intimated their desire to enlarge their subscriptions, now that Trinity College is a "fact accomplished." Many more express regret that no convenient opportunity of contributing has yet been given them. For, though my Appeal, made in 1850, was widely circulated, it did not reach thousands who are anxious to give their assistance.

3. Besides, some held back at that time from feelings not to be wondered at,—that the work was beyond our strength;—some were withheld by temporary inability, and other causes, which have since disappeared, but which prevented many warm friends of the object from coming forward.

4. But now, all doubts and apprehensions have passed away. Trinity College is no longer a visionary conception, but a substantial reality,—daily employed, under able Professors, in the work of instruction, and numbering, in its several Departments by the last return, seventy scholars. Under such favourable circumstances, the Council of Trinity College appeal with the greatest confidence to the friends of pure religion and learning, to enable them to bring the arduous and important struggle in which they are engaged to a speedy and successful issue.

5. For, let it be remembered, that the Members of our Church in this Diocese, have no other Seminary except Trinity College, to which they can, as religious men, entrust the education, of their youth.

6. Hence it becomes the bounden duty of all our people to establish in this populous and important Colony, a Seat of Learning, in which the Doctrines of the Church of England shall be taught in their integrity, and in which her pure and "reasonable service" shall elevate and sanctify the labours of the Teacher and the Scholar.

TORONTO, March, 1852. JOHN TORONTO.

PARTICULARS AS TO THE CONDITION AND PROSPECTS OF TRINITY COLLEGE, 1852.

As the Members of the Church of England in this Diocese, when their liberality is again appealed to, on behalf of Trinity College, will naturally desire to become acquainted with the progress we have made, the Council of the College gladly avail themselves of the occasion to state the following particulars.

1. Trinity College, being one of Residence, spacious Buildings are required. Accordingly, the plan adopted form a quadrangle of two hundred and fifty feet, by two hundred feet. The whole of the front half is under contract, of which two thirds are finished and occupied; and the remainder will be completed by the first of Novemder next.

2. This Contract includes the Library, (used at present as a Chapel), Class-rooms for Divinity, Arts, Medicine, Chemistry, Natural Philosophy, separate Lodging Rooms for nearly fifty students, besides the Provost's House and apartments for the Domestics. The whole, when completed, will, (including the cost of the Site, the fittings up, and other contingencies,) require an expenditure of at least Twelve thousand pounds, (£12,000,) Halifax currency.

3. The rear half of the quadrangle, when completed, will contain the Chapel, Museum, Dining Hall, Class and Professors' Rooms for the several Faculties, the separate apartments for the same number of Students as the front half, or, in all, accommodation for nearly One hundred resident

Students. This portion, not being so ornamental as the front, might be completed for less than Eight thousand pounds, (£8,000), a consummation most desirable, if it could be speedily accomplished. But it must be postponed for a season, as the present contract is likely to exhaust all our available funds. We shall, nevertheless, wait in faith and hope, that God, in His good time, will touch the hearts of Christian friends to come to our aid.

4. Our encouragement is indeed great. We have already more than sixty Students belonging to the different Departments of the College, of whom twenty-one are in Theology and Arts, and seventeen in residence ; and we have reason to believe, that as we increase our accommodation, it will be occupied by an increase of Students.

5. Our friends are aware, that, although the subscriptions within the Diocese are very liberal, a small portion only is in money, the remainder being in Stocks, and Funds from which are not readily available. Hence, the College Council found it expedient to make use of the Funds collected in England, in order to enable them to purchase an eligible Site and proceed with the necessary Buildings. But these Funds are rapidly diminishing, and require to be replenished.

6. Under these circumstances, the Council feel themselves justified in making an appeal to the subscribers of Trinity College within the Diocese, for the payment of their subscriptions, as a small portion only has been yet received.

7. They likewise appeal to those who have not yet come forward, to do so now with liberal donations, " to enable them" (as the Bishop observes) " to bring the arduous and important struggle in which they are engaged to a speedy and successful issue."

8. Moreover, the Council is invited to make this Appeal by friends from different parts of the Diocese, who desire to enlarge their subscriptions now that Trinity College is a " fact accomplished," and in active operation ; and others have expressed their regret that no convenient opportunity to contribute has been yet afforded them.

9. The Bishop's Appeal, issued in February, 1850, * though widely circulated, did not reach many who would have willingly contributed. Some held back from an impression, not unnatural, that the work was far beyond the ability of the Diocese to carry out ; that it might fail, even after much expense had been incurred, and they did not feel satisfied to contribute towards a probable loss. Temporary inability, and other causes, prevented many warm friends to the object from shewing themselves its efficient friends at that time. But now all doubts and apprehensions have passed away,—Trinity College is no longer a visionary project, but a substantial Seminary, daily employed in the work of instruction and numbering in its several Departments, as already noticed, more than sixty scholars.

10. Under these circumstances, it is felt and believed, that the time has come for making this earnest and affectionate Appeal to all the inhabitants of this Province who are friendly to Trinity College.

11. Besides ordinary donations, there are many other ways, by which those who are anxious to place the University of the Church on a secure and respectable footing, may exert their benevolence.

12. Most of the Colleges in Europe have been the fruit of individual piety and devotion. Where there was not sufficient means to found a complete College, a single Professorship was endowed, or one, or more, Scholarships was established, according to the ability of the donor. Sometimes a single Professorship, perhaps of small value, or merely provision made for a gold, or silver, Medal annually, or a few choice Books, to be given in Prizes for proofs of good conduct, learning and ability. But all flowed from the same pious and generous motives ; and, whether it was the foundation of a College, or a Professorship, a Medal, or a Book, the purity of intention made it acceptable to God and worthy of His blessing.

13 We may not, for a time, receive large bequests and donations in this new Country ; and this is not so much from the want of inclination, as ability. Most of our Brethren are yet struggling for a competency, and very few have attained to any great degree of wealth. But these obstacles are gradually disappearing, and the number of those who possess more than a competency is rapidly increasing. Hence, we can, with truth, say, that we have already amongst us not a few who are sufficiently able, (if blessed with the will,) to do much towards the support of Religious Institutions.

14. There are many ways of doing this, equally beneficial to the College and the donors, as for instance :—

First. The Churchmen in every Township of the Diocese might unite in purchasing a Lot of Two hundred acres of land, to be called " the College Lot." The one half of the annual proceeds of the sale of which to be forever devoted to the instruction, at Trinity College, of the most promising young man, a native of the Township ; and the other half to the general purposes of the University.

Second. Parishes and wealthy congregations and individuals might endow one Scholarship immediately, and, as their ability permitted, add one, or two, more. The holders of such Scholarships to be named, under proper Regulations, by such Parish, or Congregation, and individuals if required.‡

* This Appeal, in the form of a Pastoral, is printed on pages 92-96 of the Ninth Volume of this Documentary History.

‡ In a Pastoral Letter, issued by Doctor Strachan to Members of the Church of England, in the Diocese of Toronto, in December, 1851, he thus referred to this matter of Scholarships in Trinity College : -You are aware that the annual value of the Scholarships has been somewhat reduced, while their number has been proportionately increased, so as to extend

15. To act upon one of these suggestions, or any other of a similar character, which a generous mind may adopt, would be, to the donors, a source of never-failing comfort and exultation during their whole lives. Little do the parsimonious and selfish know how much they mar their own happiness, both here and hereafter, by withholding God's part, and neglecting the precept which says, "whatsoever thy hand findeth to do, do it with thy might."

CHARLES MAGRATH, Secretary and Bursar.

TORONTO, March 9th, 1852.

CHAPTER XVIII.

PROCEEDINGS OF THE COUNCIL OF PUBLIC INSTRUCTION IN 1852.

January 8th, 1852. The Chief Superintendent of Education reported to the Council the following to be the state of the Special Grant Funds for building purposes, up to this date, namely,—

	£	s.	d.	£	s.	d.
Balance on hand at last Meeting of the Council	.....	...	...	3,489	13	8
Paid out since last Meeting, namely,—						
To Messieurs Metcalfe, Wilson and Forbes on contract	180	0	0			
To Messieurs Cumberland and Ridout, commission as Architects	10	0	0			
To Doctor O. Tiffany, on account of Heating, and ventilating, £20 and £30	50	0	0			
To Mr. T. Storm, salary as Clerk of Works	25	0	0			
To Mr. E. V. Wilson on account of fixing Lightning Rods	12	10	0			
To Mr. J. Davis, for Draining Tiles	3	0	0	280	10	0
Balance in the Bank at this date				£3,209	3	8

February 13th, 1852. The Chief Superintendent of Education reported the following to be the state of the Special Building Fund Grant up to this date.

	£	s.	d.	£	s.	d.
Balance in the Bank of Upper at last meeting	3,209	3	8			
Interest allowed by the Bank up to December the 26th, 1851	98	12	10			
				3,307	16	6
Paid Contractors since last meeting	150	0	0			
Paid Doctor O. Tiffany since last Meeting	10	0	0	160		
Balance in the Bank up to this date				£3,147	16	6

A Letter from the Contractors, soliciting an advance of Two hundred and fifty pounds, (£250), beyond the portion due under the Contract, having been read, it was,—

Ordered, That the payment may be made on the Contractors and their Sureties, on their giving a supplementary Bond, in such form as may be required by the Solicitor of the Council,

as widely as possible the benefit to approved Candidates for the Ministry, and yet to leave an efficient and seasonable help towards their support during the progress of their studies.

Hence, while the Scholarships still encourage as much as ever the conscientious and deserving, they can afford no lure to those who may be influenced by inferior motives in seeking to be enrolled among the aspirants to Holy Orders.

In the same Pastoral Letter the Bishop also stated that Theological Students at present under instruction in this Diocese will be transferred from Cobourg to Trinity College, Toronto, at the opening of that Institution, on the Fifteenth of January next; and (the Bishop said), "in order to encourage as many deserving young men as possible to matriculate, with that view, in our infant University, I must solicit your cordial endeavours to produce a liberal response to the proposed appeal on behalf of Divinity Students."

to guard the Council against any risk, in reference to the Contract and the Bonds of the Sureties already given in.

February 16th, 1852. The Chief Superintendent of Education reported the following to be the state of the special Building Grant funds up to this date, videlicet :—

	£	s.	d.
Balance in the Bank at the last Meeting	3,147	16	6
Paid Contractors on Contract since last Meeting	250	0	0
Balance in the Bank at this date	2,897	16	6

The Chief Superintendent, having submitted an Estimate of the terms upon which he can have the Furniture for the Normal and Model Schools manufactured in this City, according to the specimens procured by him in Boston, it was,—

Ordered, That he be authorized to contract with Messieurs Jacques and Hay for the Desks and Seats, (to be made of oak), necessary for furnishing the Normal and Model Schools, according to the term of their Estimate.

February 28th, 1852. Mr. Frederick W. Cumberland, the Architect, having, at the request of the Chief Superintendent submitted various plans and Estimates, for Sheds, Fences, Gates, and other things, with verbal explanations, the Council, after much consideration, adopted the plans, with some slight modifications, and authorized the Architect to advertise for Tenders for the completion of the Work in the following terms, videlicet,—

Tenders are required by the Council of Public Instruction, for the Fences, Entrance Gates, Planked Side Walks, Planking of the Yards and Play Grounds, at the Normal and Model Schools, with Play Sheds, and other Works, as delineated and described in certain Drawings and Specifications, to be seen at the Office of the Architect, on and after Wednesday, the third proximo, after Ten o'clock, A.M.

Tenders to be addressed to the Chief Superintendent of Education, endorsed "Tenders for Fences, and other Works," and to be delivered at the said Office on, or before, Tuesday, the Ninth proximo, at Nine o'clock A. M.

The Council of Public Instruction is not to be considered as bound to accept the lowest Tender, and will reserve to itself the power to let the Works in one, or more, Contract Sections, as it may seem expedient.

Mr. John H. Sangster, having applied, through the Chief Superintendent, to have his designation as "Assistant Teacher" in the Model School changed to that of "Second Master," it was,—

Ordered, That Mr. Sangster's request be granted.

March 5th, 1852. The Chief Superintendent submitted the following Memorandum of the payments made to Messieurs Metcalfe, Wilson and Forbes, the Contractors, up to this date,—

	£	s	d
Amount of Contract	8,790	0	0
Amount of Extras, allowed, thus far	1,086	8	8½
	£9,876	8	8½

	£	s	d	£	s	d
Paid on Contract	6,430	0	0			
Paid the Extras in full	1,086	8	8½	7,516	8	8½
Balance yet due on the Contract				2,360	0	0
				£9,876	8	8½

It was directed that the Solicitor of the Council submit to the Council all Contracts and sub-Contracts entered into by the Chief Superintendent, on behalf of the Council.

The Committee, appointed to judge of the propriety of introducing into the Common Schools of Mr. H. Y. Hind's Lectures on "Agricultural Chemistry," reported, that, in their opinion they considered it a useful work, and recommend the Council to sanction its adoption as a School Book.

In view of this Report of the Committee, as to the introduction of Mr. Hind's Lectures on "Agricultural Chemistry" into the Common Schools of Upper Canada, it was,—

Ordered, That the Report be adopted.

March 13*th*, 1852. The Solicitor laid before the Council the various Contracts which had been entered into between the Chief Superintendent and the Sub contractors, as directed at the last Meeting of the Council.

March 15*th*, 1852. It was directed by the Council That the Tender of Mr. Alexander Manning and Mr. Alexander Hamilton for Fencing, Planking and erecting the Sheds, and for the Painting, etcetera, be accepted, being in effect the lowest Tenders, and that the Chief Superintendent of Education be authorized to sign a Contract for the work, after it has been prepared by the Solicitors to the Council.

March 22*nd*, 1852. The Chief Superintendent of Education reported the following to be the State of the Special Building Grant up to this date, videlicet,—

	£	s	d	£	s	d
Balance in Bank at the last Meeting	....	....	..	2,447	5	2
Paid out since last Meeting :—						
Paid to Mr. Alexander Manning, on Carpenters' sub contract	100	0	0			
Paid to Mr. Thomas Storm for Mason Labourers	17	13	7	117	13	7
Balance in the Bank at this date				£2,327	11	7

April 13*th*, 1852. The following Communication was laid before the Council,—

From the Examiners for His Excellency the Governor General's Prizes in Agricultural Chemistry, reporting the names of the most successful competitors, and recommending that the first and second prizes should be adjudged to Mr. Samuel P. Robins and Mr. Thomas McNaughton, respectively.

This Report of the Examiners for the Governor General's Prizes in Agricultural Chemistry having been under consideration it was,—

Ordered, That their recommendation be concurred in, and the Chief Superintendent be pleased to request the Honourable Chief Justice Robinson, or the Honourable Mr. Justice Draper, to distribute the Prizes, on behalf of His Excellency, Lord Elgin.

May 21*st*, 1852. The Chief Superintendent reported the Building Fund, as follows :—

	£	s	d
Balance in the Bank at last Meeting	2,304	0	1½
Paid out since last Meeting	432	12	0
Balance in the Bank at this date	£1,971	8	1½

The necessity of employing an additional Assistant in one of the Departments of the Normal School, in consequence of the division of the Class into two sections, having been under consideration, it was,—

Ordered, That Mr. Sampson P. Robins, a Student, who had evinced considerable ability and fitness, be engaged as such Assistant at a remuneration of Fifteen shillings per week.

A form of application for admission to the Normal School, in accordance with the accompanying "Revised Terms of Admission" was submitted to the Council by the Chief Superintendent of Education, and approved,—as follows :—

FORM OF APPLICATION FOR ADMISSION TO THE NORMAL SCHOOL, TORONTO.

I wish, very respectfully, to apply to you for admission to the Normal School, in accordance with the Terms of Admission, as prescribed by the Council of Public Instruction for Upper Canada, and to present herewith a Certificate of Moral Character, signed by the Reverend ....,a Clergyman of the.....Church, and dated the.....day of ....., 185.. I have to state that,

1. I am....years of age
2. I reside in the (Township, Town or City,) of
3. I was born in.....
4. I have resided .....years in Upper Canada
5. I am connected as a Member, (or hearer), with the.....Church

6. I have been.. .. years a School Teacher

7. I hold a.....Class Certificate of Qualification

8. My last place of Teaching was in School Section Number....., Township of..... .....

9. I attended the Normal School during the Session of 18....

I have also to state, that it is my intention to devote myself to the profession of School Teaching, and that my object in coming to the Normal School is to qualify myself better for the important duties of that profession.

If admitted to the Normal School, it will be my study to observe the Rules and Regulations of the Institution, to be diligent in the performance of my duties, and, upon leaving it, to return each of the Books granted for my use during the Session. Should I voluntarily leave the Normal School before the expiration of the Session, for any cause, except that of sickness, as certified by a Physician, I will also return any money advanced by the Council towards defraying the expenses of my board and lodging.

...., Applicant.

To the Chief Superintendent of Education.

By order of the Council of Public Instruction for Upper Canada.

J. George Hodgins, Recording Clerk.

Toronto April 16th, 1852.

Revised Terms of Admission into the Normal School, Toronto.

(Adopted by the Council of Public Instruction for Upper Canada, on the Twenty-third day of July, 1851.)

The Council of Public Instruction, anxious to adopt such measures as appear best calculated to render the training of the Normal School as thorough as possible, and to diffuse its advantages over every County in Upper Canada as equally and as widely as possible, adopts the following Regulations, in regard to the duration of the future Sessions of the Normal School, and the mode and terms of admitting and facilitating the attendance of Students at that Istnitution.

I. That the Semi-annual Sessions of the Normal School shall commence on the Fifteenth day of May, and the Fifteenth day of November of each year, (and, if those fall upon Sunday, the day following), and continue for a period of Five months each,—to be concluded by a Public Examination, and followed by a Vacation of one month.

II. (1) That no Male Student shall be admitted under eighteen years of age, nor a Female Student under the age of sixteen years. (2) The Students admitted must produce a Certificate of good Moral Character, dated at least within Three months of its presentation, and signed by the Clergyman, or Minister of the Religious Persuasion with which they are connected; (3) They must be able to read and write intelligibly, and be acquainted with the Simple Rules of Arithmetic, and with the Elements of Geography and English Grammar; (4) must sign a Declaration of their intention to devote themselves to the profession of School-teaching, and that their object in coming to the Normal School is to qualify themselves better for the important duties of that profession.

III. That, upon these conditions, Candidates for School Teaching shall be admitted to the advantages of the Institution without any charge, either for tuition, the use of the Library, or for the Books which they may be required to use in the School. Other professional Students to be admitted upon paying One pound, five shillings, for attendance at an entire Course of Lectures during one Session.

IV. That the Teachers-in-training shall board and lodge in the City, in such Houses, and under such Regulations as are approved of by the Council of Public Instruction.

V. That a sum not exceeding Five shilling per week, towards defraying the expenses of board and lodging, shall be allowed for the present, during one, or two, Sessions to Teachers-in-training requiring assistance, on condition that they will engage to remain in attendance at the Normal School during that period.

VI. That all Candidates for admission into the Normal School must present themselves during the first week of the Session, otherwise they cannot be admitted; and their continuance in the School is conditional upon their diligence, progress, and observance of the General Regulations prescribed by the Council.

VII. That all communications be addressed to the Reverend Doctor Ryerson, Chief Superintendant of Education, Toronto.

N.B. Board and Lodging for Students, may be obtained, at the Houses approved by the Council of Public Instruction, at from Eight to Twelve shillings and six pence per week.

Note.—The Applicant will be very particular to fill up all of the blanks, either affirmatively, or negatively. This Application is to be presented in person at the opening of the Session.

*July 16th, 1852.** The following Communications were laid before the Council,—

* No intermediate Meeting of the Council of Public Instruction was held between the dates of April the 16th and July the 16th, 1852.

1. From Mr. Cumberland, the Architect, reporting upon the additional sum required to complete the Normal School Building, and other work, and urging the Council to employ active measures to compel the Contractors to fulfil their Contracts ; (2) From Mr. John L. Ebbels and Mr. Archibald McCallum, applying for the situation of Writing Master, vacant by the emigration of Mr. J. S. Stacy to Australia.

Ordered, That Mr. William Hind be engaged for the present Session as Drawing Master, at the rate of One pound per week ; and that he be allowed the sum of Twelve pounds, ten shillings for his services during the last Session of the Normal School.

Ordered, That Mr. Archibald McCallum take charge of the Writing Class in the Model School, as a part of his regular duties there, and that he be permitted to take charge of the Normal School Writing Class, in the terms of his Letter.

The letter of Mr. Cumberland, the Architect having been under consideration it was,—

Ordered, That Mr. Cumberland's suggestions be concurred in, and that application be made to His Excellency the Governor General-in-Council for an additional grant of Five thousand, five hundred pounds, (£5,500), to complete the Normal School Building and other Work, also, that Mr. Joseph C. Morrison, Solicitor, be instructed to notify the Contractors that the terms of their Contracts will be strictly enforced.

*October, 12th, 1852.** The following Communication was laid before the Council,—From the Secretary of the Province, stating that the application of the Council for an additional grant of Five thousand, five hundred pounds, (£5,500), to complete the new Normal School Buildings and other Work would be submitted to Parliament in the Estimates of the year.

The Chief Superintendent reported the following Statement of the payments from the Special Building Fund Grant up to this date.

Balance in the Bank at the last Meeting.....	£1059	1	2
Paid out since last Meeting	£1482	7	3
Balance in the Bank at the last Meeting.....	£1059	1	2
Balance overdrawn in the Bank	£423	1	1

October 26th, 1852. Ordered, That the following appointments be made, to take effect at the beginning of the ensuing Session, namely,—

Males—1. Mr. Thomas J. Robertson to be Head Master of the Normal and Model Schools, at a salary of Three hundred and fifty pounds per annum.

2. Mr. Herbert George Rupele Fripp to be Lecturer in Chemistry and Natural Philosophy, with an allowance of Seventy five pounds for the Session.

3. Mr Archibald McCallum to be First Assistant in the Normal and Model Schools, at a salary of One hundred and fifty pounds per annum.

4. Mr. John H. Sangster to be Second Assistant in the Normal and Model Schools with a salary of One hundred and twenty-five pounds per annum.

5. Mr. Sampson Paul Robins to be Third Assistant in the Normal and Model Schools, with a salary of One hundred pounds per annum.

6. Mr. William Hind to be Drawing Master in the Normal and Model Schools, at a salary of Fifty pounds per annum.

7. Mr. Henry Goodwin to be Gymnastic Master of the Normal and Model Schools, at a salary of Fifty pounds per annum.

Females—8. Mrs. Dorcas Clark to be First Female Assistant in the Girls Model School, at a salary of Seventy-five pounds per annum.

9. Miss Catharine Johnson to be Second Female Assistant in the Girls Model School, at a salary of fifty pounds per annum.

It having been deemed advisable, on going into the new Buildings, to make some change in the charge for admission to the Boys' and Girls' Model Schools, so as to include Tuition fees, Stationery, the use of Copy books, and other requisites it was,—

Ordered, That the Terms of Admission to the Model School be revised, and that such additions alterations be made as may appear necessary. The terms thus revised are as follows,—

1. The admission Fee to the Boys', or Girls', Model School shall be Seven pence, half-penny per week for each pupil. This includes tuition, the use of Text-books, Stationery, Copy-books, etcetera. The Fee to be punctually paid every Monday morning, in advance, otherwise the Pupil cannot be admitted.

* No intermediate Meeting of the Council took place between the 16th of July and the 12th of October, 1852.

2. The names of those Children, whose Parents, or Guardians,are desirous of obtaining admission for them, will be received at the Model Schools every Monday morning, at Nine o'clock, and entered on the list of applicants. As vacancies occur, they will be notified, and, as a general rule, admitted, if they present themselves, in the order in which their names are entered, provided no circumstances take place to render it necessary to deviate from that course.

N. B. Parents and Guardians will do well to bear in mind, that children, who have been expelled for misconduct, cannot under any circumstances be readmitted.

3. The Pupils are required, every day the Schools are open, to assemble punctually at Nine of the clock, A. M., after which hour, none will be admitted, and at a quarter past One of the clock in the afternoon.

4. They will also be required to present themselves neat and clean in their persons and dress. Parents and Guardians are recommended to provide those of their Children who attend the Schools with a pair of slippers each,—particularly in wet and disagreeable weather.

5. When compelled by sickness, or other unavoidable necessity, to be absent from School, a written, or verbal, explanation, on the part of the Parent, or Guardian, will be necessary.

6. The name of any Pupil, absent for one week, without such explanation having been made, will be struck off the roll, without further inquiry.

7. Any Pupil being absent from the School during any part of the day, without a satisfactory explanation, will be at once dismissed.

The General Rules of the School require that :—

8. The Pupils be attentive, quiet, orderly, and respectful in the School.

9. To call no ill names, use no bad words, tell no tales one of another, and avoid all quarrelling, strife, and contention.

10. To come to School and go home in an orderly manner, to avoid all wicked companions and strive to maintain a good character.

11. To be kind to all men, and never mock lame, blind, or deformed, persons.

12. To be kind to Dumb Animals, and never ill use them, for they are God's creatures.

13. To be obedient to Parents and Friends, and to all persons in authority.

14. To behave with reverence in all places set apart for the Public Worship of God.

15. To speak the truth on all occasions.

16. And, as the mode of government adopted in the Institution is based upon kindness and affection, it is expected that the Pupils will exhibit a corresponding demeanor, by being respectful and obedient to their Teachers, and kind and conciliatory to each other, avoiding all quarrelling and games likely to excite ill-feeling and discord.

17. And lastly,—"Children, be ye kind to one another, tender-hearted, forgiving one another."

November 17th, 1852. The following Communication was laid before the Council,—From the Head Master calling attention to the Proclamation of the Mayor of the City, enjoining upon the Citizens the propriety of observing to-morrow as a quiet General Holiday, in consequence of the Funeral of the Duke of Wellington, and requesting instructions as it regards the Normal and Model Schools. The matter having been considered it was,—

Ordered, That, in compliance with the Mayor's Proclamation, the Exercises in the Model Schools be suspended for half of the day to-morrow ; but that, in the Normal School, the examination of the Students will be continued without intermission.

The Chief Superintendent reported the following to be the state of the Special Building Fund Grant, up to this date, namely,—

Balance overdrawn at the last Meeting of the Council...	£21,467	0	1
Paid out, since last Meeting	964	8	2
Balance overdrawn at this date.....	£22,431	8	3

The propriety of celebrating the opening of the New Normal and Model School Buildings by a Public Ceremony having been under consideration it was,—

Ordered, 1. That the day for the Public Opening of the Normal and Normal Schools Building and the Education Offices, be fixed for Wednesday next, the Twenty-fourth instant.

2. That the Building be opened to the public on that day from ten o'clock, A. M., to four o'clock, P. M.

3. That the celebration of the Opening be held in the Theatre of the Institution on Wednesday evening. Doors to open at half past six o'clock, P. M., Proceedings to commence at seven o'clock.

4. That admission to the body of the Theatre and to the Galleries be by tickets, a sufficient number of which to be printed, and that twelve be sent to each Member of the Council.

5. That the Reverend Henry James Grasett, A. M., a Member of this Council, be requested to open the proceedings at the Celebration by Prayer.*

6. The Honourable Chief Justice Robinson, the Honourable Robert Baldwin, Attorney-General West, the Honourable Francis Hincks, Inspector General, the Honourable Sir Allan N. Macnab, M.P.P., the Honourable Malcolm Cameron, M.P.P., the Honourable William Hamilton Merritt, M.P.P., the Honourable James Harvey Price, M.P.P., and Thomas Street, Esquire, M.P.P., be requested to take part in the proceedings at the Celebration by addressing the Assembly.

7. That, in the possible absence of the Chairman of this Council, the Honourable Robert Baldwin be requested to preside at the Meeting on Wednesday evening next.

8. That the announcement of the Opening of the Buildings be made by public placard, and that invitations be sent by the Recording Clerk to the Members of the Legislature residing in and near Toronto, and also to the Gentlemen who have been selected to address the Meeting.

The propriety of adopting some rule for the future admission of the Public and Strangers to the Normal and Model School Buildings having been under consideration it was,—

Ordered; That the Public be admitted to the Institution by printed Tickets on Tuesdays and Thursdays of each week, from half past one to four o'clock, P.M., under such Regulations as may appear necessary; and that a Visitor's Book be kept in the Visitor's Room, and in the Boys' and Girls' Model Schools, to record to name and date of each Visitor to the Institution.

The necessity of making some further arrangement, in regard to the Caretaker and other Men to be employed in the Building, having been under consideration it was,—

Ordered; That the following appointments be made, namely,—

Mr. Thomas Johnston to be Janitor,—to have charge of the Building, and to be responsible for keeing it clean to the satisfaction of the Chief Superintendent of Education.

Mr. John Murphy to be second Porter and Messenger, to attend on the Lecturers, and perform such other duties as may be required of him by the Chief Superintendent.

The General Rules and Regulations governing the Students of the Normal School were revised, and are as follows,—

1. All Teachers-in-training are required to assemble in the Normal School every morning at the appointed hour, when the roll will be called, and any person failing to answer to his, or her, name will be called upon to explain the cause of such irregularity and the explanation, if not deemed satisfactory, will be submitted to the consideration of the Chief Superintendent of Education.

2. Any one compelled by sickness, or other unavoidable necessity, to absent himself, or herself, will be required to forward a written explanation to the Head Master.

3. The Teachers-in-training shall board and lodge in the City, in such Houses, and under such Regulations, as are approved of by the Council of Public Instruction.

4. Each Teacher-in-training is required, every Friday afternoon, from three to four o'clock, punctually to attend the Classes for separate Religious Instruction by the Clergymen of the Religious Persuasion, to which he, or she, respectively belongs. Any Students absenting themselves from these Exercises will be required to forward to the Head Master a written explanation of such absence.

5. The Teachers-in-training are expected to lead orderly and regular lives, to be in their respective lodgings every night before half hast nine o'clock, P.M., and to attend their respective Places of Worship with strict regularity. Any improprieties of conduct will be brought under the special notice of the Chief Superintendent of Education.

6. It is expected that all the Teachers will conform strictly to the appointed hours, conduct themselves with decorum and propiety, not merely when on the Premises, but when coming to and leaving them; and attend carefully to the studies marked out for their instruction.

November 22nd, 1852.‡ The following Statement of the Expenditure of the Special Building Grant Fund was laid before the Council, namely,—

	£		
Balance overdrawn at the last Meeting of the Council	2,431	8	3
Paid since last Meeting	285	14	11
Total amount overdrawn at this date	£2,717	3	2

The Reverend Henry James Grasett, A.M., a Member of this Council, having in a note to the Reverend Adam Lillie, also a Member, stated that he feared he would not be able to

* A detailed account of the Ceremony of opening the New Buildings will be given in a subsequent Chapter in this Volume.

‡ This was the last Meeting in 1852 of the Council of Public Instruction for Upper Canada.

attend at the Ceremony of the Opening of the New Building to offer up a Prayer, as requested by the Council, and having asked the Reverend Mr. Lillie to officiate in his stead, Mr. Grasett's request was concurred in by the Council.

The Chief Superintendent of Education was requested to call the attention of Mr. John G. Bowes, Mayor of the City of Toronto, to the unsatisfactory state of Crossings and Sidewalks leading to the Normal School and Education Office Building. This he did in the following Letter :—

I have the honour, on behalf of the Council of Public Instruction, to submit, through you, to the Corporation of this City, the continued inaccessible state of the Normal School Buildings, except over Streets without Crossings or Sidewalks. After this week, the number of persons passing daily, to and from the Normal School and Education Office Buildings, will exceed Five hundred ; of whom Four hundred are children of Citizens and One hundred and fifty are Student-teachers, who are brought to reside several months, or more, in the City, by the establishment of the Normal School, and to whom the Authorities of that Institution, not only provide free instruction but pecuniary aid. Unless Crossings and Sidewalks are provided, it will not be possible, in wet weather, to keep the premises clean, or in proper order.

2. I may observe, that the Site and Buildings of each of the four Normal Schools in the State of Massachusetts, were provided by the Towns, in which they are respectively established; and several other Towns offered to do the same, in order to secure the advantages of their establishment within the limits of such Towns. The City of Albany provided the Buildings for the New York State Normal School, during several years ; it has since provided the Site for the New Buildings, and it pays eight hundred dollars ($800), per annum towards the support of of the State Model School, in addition to the Fees of tuition received at the School.

3. The new Normal Schools and Education Office Premises will secure to this City, the advantages of a Public Square in this heart of it ; they will add much to the value of property in the neigbourhood, besides the sum of several thousand pounds per annum expended in the City, in connection with them, and in addition to the large sum expended in their erection.

4. Under all these circumstances, it is confidently hoped by the Council of Public Instruction, that the Corporation of the City will readily provide the facilities of access to the Normal School and Education Office Premises, by causing to be made, as soon as possible, the necessary Sidewalks and Street-crossings. . .

TORONTO, 22nd of November, 1852. EGERTON RYERSON.

NOTE.—The City Corporation provided the necessary Sidewalks and Crossings, as requested in this Letter.

CHAPTER XIX.

CORRESPONDENCE WITH THE GOVERNMENT ON OFFICIAL MATTERS.

The following are copies of Correspondence with Departments of the Provincial Government on matters connected with the admistration of the Public School System of Upper Canada in 1852 :—

1. TO THE INSPECTOR GENERAL ON THE APPORTIONMENT OF THE LEGISLATIVE SCHOOL GRANT.

I have the honour to transmit to you herewith a copy of my apportionment of the Common School Grant to Upper Canada for the year 1851, and my payment of the same, with the exception of Seventy-three pounds fourteen shillings (£73.14.0). I was in hopes to have been able to pay out this balance of 1851 also before the present time, and then transmit to you at one and the same time a complete statement of the payment, as well as apportionment, of the Grant in question.

2. It will be seen by the accompanying Statement that, up to the commencement of the current year, £4,297.19.11. of the Public School Grant, payable to Upper Canada, was unpaid, namely One thousand pounds, (£1,000), of the Grant for Libraries in 1851,—Three thousand-pounds, (£3.000), of the Library Grant for 1852,—Two hundred pounds, (£200), granted under the authority of the Fortieth Section of the Upper Canada School Act of 1850, Thirteenth and Fourteenth Victoria, Chapter Forty-eight, and not called for until a few days since,—and

nearly Ninety eight pounds. (£97.19.11), reserved in making the general apportionment to meet the cases of particular Townships, the Census returns of which might be shown to be defective; but no cases of the kind have been made out.

3. On receiving authority to pay, as well as to apportion, the School Grant to Upper Canada for 1852, I sent to the Treasurer of each County, Town and Village, a printed form of Power of Attorney to an agent to be filled up in duplicate. One of each of the duplicate Powers of Attorney referred to, I herewith transmit to you, together with that also of the local Treasurer's Power of Attorney,—thus accounting for the payment of the whole of the School Grant apportioned to the Counties, Towns and Villages of Upper Canada for 1852, except the Seventy-three pounds fourteen shillings, (£73.14.0), referred to, which is yet to be paid, probably with the Apportionment of the current year, it having been withheld until the Municipalities concerned should raise a like sum for school-purposes.

4. The mode of paying the School Grant to Upper Canada for 1851 has enabled me to see that every Country, City and Village Council has raised, and duly expended, the amount of the local School Assessment required,—thus correcting several errors and abuses which had crept into Municipal proceedings in school matters —adding considerable sums to the School Fund, and securing its application to the payment of Teachers' salaries alone.

TORONTO, January 21st, 1852. EGERTON RYERSON.

II. TO THE ATTORNEY GENERAL WEST, AS TO THE MEANING OF THE TERM COMMON SCHOOL FUND.

I have the honour to request your Opinion, as the Law Adviser of the Crown, (if consistent with your sense of official duty,) as to the import of the term "Common School Fund," as used in School Act for Upper Canada of 1850 : Thirteenth and Fourteenth Victoria, Chapter Forty-eight, Sections Twenty-seven, (first clause,) Forty and Forty-five.

The interpretation that I have given of these clauses is not satisfactory to some of the parties concerned in regard to Separate Schools, and I have been applied to, to obtain your legal Opinion on the subject,—the dissatisfied parties intimating that they would submit to your decision in the matter. (See Correspondence on this subject further on in this Volume.)

TORONTO, June 21st, 1852. EGERTON RYERSON.

REPLY TO THE FOREGOING LETTER BY THE ATTORNEY-GENERAL.

Indisposition has prevented me sooner acknowledging the receipt of your Letter on the subject of the construction of several clauses of the School Act of 1850 : Fourteenth and Fifteenth Victoria, Chapter 48. As Law Adviser of the Crown, I only give opinions to, and by order of, His Excellency, the Governor General. But, in the case to which you refer, if I had time to devote to the consideration of the subject, I should not hesitate to give you my professional Opinion, for the information and guidance of those who have sought for it through you.

At present, however, as you may suppose, my time is so entirely occupied, that I cannot give that attention to the subject, which would justify me in expecting, that any legal Opinion I should give, would be at all satisfactory to those who take a deep interest in the proper settlement of the question.

QUEBEC, 16th of July, 1852. WILLIAM B. RICHARDS.

III. TO THE PROVINCIAL SECRETARY, ASKING FOR AN ADDITIONAL BUILDING GRANT.

At the request of the Council of Public Instruction for Upper Canada, I have the honour to submit to the favourable consideration of His Excellency, the Governor General, the necessity of an Additional Grant in order to complete and furnish the Buildings and Premises for the Normal and Model Schools and Education Offices, and also a School of Art and Design for Upper Canada.

2. For the satisfaction of His Excellency, as to the reasonableness and necessity of the proposition now submitted, I beg leave to make the following statement :

(1) The Legislative Grant from the Fund for the Erection of Public Buildings in Upper Canada, was Fifteen thousand pounds, (£15,000.)

(2) The Site procured consists of an entire square of nearly eight acres, situated nearly in the centre of the City of Toronto. It was purchased for the sum of Four thousand five hundred pounds, (£4,500),—a sum which could now be almost realized by the sale of a row of

Building Lots from the rear of the Square. The Site affords not only conveniences for suitable exercises of Students and pupils, but also for an Experimental and Botanical Garden, and for a series of Agricultural Experiments, so that the course of instruction in Vegetable Physiology and Agricultural Elements may be practically illustrated by the culture of Plants, Vegetables and Grains, on the Premises. This is an appendage to the Institution and an advantage which does not exist in connection with any similar Institution in America. [See Report on this culture of Plants, etc., further on in this Volume.] The title to the premises is vested in the Crown.

(3) The balance remaining for the erection of the Buildings, after having paid for the Site, was Eleven thousand Five hundred pounds, (£11,500). The contract for their erection was Eight thousand Seven hundred and ten pounds, (£8,710). This contract did not include the enclosure of the Grounds, the erection of Out-houses, the Apparatus for Warming, Lighting, and furnishing Water to the Buildings, and the furnishing of them. It was thought that the balance of Two thousand Seven hundred and ten pounds, (£2,710), together with about One thousand pounds, (£1,000), which had been expended by the Board of Education, (now the Council of Public Instruction), out of the School Grant, in fitting up, as a Normal School, the Government House and Premises in Toronto, ((besides movable fixtures,) and which were afterwards removed by Government, on the transfer of the Seat of Government from Montreal to Toronto. It was then assumed, that this sum of One thousand pounds, (£1,000), would be repaid by Government, and that it would, with the balance named, be sufficient to complete the Establishment. But, so much quicksand was found in the Ground, on which the Buildings were erected, that a large part of the extensive foundations had to be excavated and then stoned up to the height of twelve feet—thus causing an unanticipated extra expense in one item alone of about Seven hundred pounds, (£700). It was also found desirable, as the building work advanced, to substitute Stone for Brick in some parts of the Buildings, which caused an additional extra of some Eight hundred pounds, (£800). The cost of providing the Warming and Ventilating apparatuses and supplying the Buildings with Water and Gas, is more than was anticipated, as also the Sheds, Yards and Enclosures of the Grounds. These have all been contracted for, and will be completed in the course of a few weeks.

4. I herewith enclose a copy of a Communication from the Architect, Mr. F. W. Cumberland, containing his estimate of the sum required, to complete and furnish the premises. This estimate is for Five thousand, five hundred pounds, (£5.500).

5. I may observe, that, although the Buildings and Premises are primarily and chiefly designed for a Provincial Normal and Model School,—an Institution which is pre-eminently a College for the whole people of Upper Canada ; yet provision is also made in the same Buildings for the Offices of the Department of Public Instruction, for a Depository for Maps and Apparatus for Schools throughout Upper Canada, and for a School of Art and Design,—a School which will be of great importance to the interests of Mechanics and Manufactures in this Country.*

6. Every part of the structure is built in a neat and substantial manner, but without any expensive, or superfluous, ornament. The Buildings are designed to accommodate 250 students in the Normal School, and 500 pupils in the Model School, exclusive of the Offices and Depository, Library, Museum and School of Art and Design. For the completion of a work so comprehensive and important to the whole Country; and for which no provision was ever before made in Upper Canada, I trust His Excellency, the Governor General, will be pleased to recommend to Parliament, to grant the additional sum, required according to the estimate of the Architect.

TORONTO, 16th of August, 1852. EGERTON RYERSON.

NOTE. The request made to the Government, in the foregoing Letter of the Chief Superintendent of Education, on behalf of the Council of Public Instruction, was liberally responded to, and the Inspector General recommended that the sum of Ten Thousand Pounds, (£10,000), be provided in the Government Estimates of the year, so as to enable the Council to complete the Education Building, as proposed in the Chief Superintendent's Letter.

IV. TO THE INSPECTOR GENERAL, ON REPRINTING OF THE IRISH NATIONAL SCHOOL BOOKS.

The Commissioners of Education in Ireland have given special permission to the Council of Public Instruction in Canada to reprint, or authorize, the reprinting in this Country of any

*The Educational Museum of Paintings and Statuary—then to be established,—was intended to furnish examples and specimens for the proposed School of Art; but the project was never fully carried out.

of their School Books ; and I beg to state that Messieurs Brewer, McPhail and Company of Toronto, have been, by the Canadian Council of Public Instruction, authorized to reprint the Irish National School Publications, and that they have reprinted the following Books of the Irish National Series ; namely, Tablet Lessons, (33 sheets) ;

First Book of Lessons,	Fifth Book of Lessons,
Second Book of Lessons,	First Book of Arithmetic,
Sequel to Second Book of Lessons,	Second Book of Arithmetic.
Third Book of Lessons,	English Grammar,
Fourth Book of Lessons,	Book-keeping,

TORONTO, October 16th, 1852. EGERTON RYERSON.

V. TO THE PROVINCIAL SECRETARY, PROPOSING A RE DIVISION OF THE LEGISLATIVE GRANT.

I have the honour to submit to the consideration of His Excellency the Governor General the division of the Annual Grant of Fifty thousand pounds, (£50,000), for Common School purposes in United Canada to each section of the Province according to population, as required by the Act of 1841, making that Grant.*

2. The Census Returns of the population of the Province has been taken during the present year by Commissioners appointed for that purpose. According to the Census, thus taken, the population of Upper Canada is stated to be 952,004 and the population of Lower Canada is stated to be 890,261. Therefore, the share of the Fifty thousand pounds, (£50,000) due to Upper Canada is Twenty-five thousand pounds, seventeen shillings and four pence more than the sum now paid to Upper Canada and (£25,837. 17. 4) being Eight hundred and thirty seven pounds, seventeen shillings and four pence, (£837.17.4) which sum will be sufficient to add five hundred pounds (£500), per annum to the Grant to the Normal and Model Schools for Upper Canada, and will go far towards furnishing to each School Corporation in Upper Canada a copy of the *Journal of Education*.

3. In 1848, I submitted to the consideration of His Excellency in Council the fact that Upper Canada was receiving Two thousand pounds, (£2,000), less of the Fifty thousand pounds, (£50 000), than it was entitled to according to law,† and the correctness of my calculations was confirmed by the report on my Letter of the Inspector General ; but the report was not acted upon until 1851. I submit, therefore, that justice to Upper Canada should not be delayed in the question, which I have the honour now to bring under the consideration of His Excellency.

TORONTO, December 18th, 1852. EGERTON RYERSON.

CHAPTER XX.

EXPLANATORY CIRCULARS IN REGARD TO THE LOCAL ADMINISTRATION OF THE SCHOOL LAW, 1852.

As the practical administration of a somewhat comprehensive amended School Law of these early days, was, in some degree difficult, the following Official Circulars were designed to explain the various provisions of that Law, and to aid the local Municipalities and School Authorities in their administration of it.

I. CIRCULAR TO WARDENS OF COUNTY COUNCILS IN UPPER CANADA.

I have the honour to call the attention of the Municipal Council, of which you are Warden, to several matters relating to Common Schools :—

1. The first clause of the Thirty-fifth Section of the School Act of 1850 makes it my duty to apportion on, or before, the First day of May, the moneys which have been granted by the

*A copy of this Act will be found on pages 48-55 of the Fourth Volume of this Documentary History.

†This Letter is printed on page 94 of the Eighth Volume of this History.

Legislature for the support of Common Schools in Upper Canada during the current year ; and I should have been happy to transmit herewith a statement of this Apportionment of such moneys, so far as your Council is officially interested, had the Officers, whom you had appointed, furnished me with the information required by law to enable me to do so. In order to apportion the Legislative School Grant to any Municipality, for the current year, as required by law, I must have from such Municipality its audited Financial School Accounts, and its School Reports for last year. But I have not yet received the former from one County Council in Upper Canada ; and I transmit to you the names of the Townships, within your jurisdiction, from which the required School Reports have not been received. As I am depending upon the information contained in the Accounts and Reports referred to, for the data and grounds, on which to prepare and notify the current year's School Apportionment, it is impossible for me to perform this part of my duties at the time so appropriately fixed by law, unless each County Council, and the Officers appointed by it, will fulfil the conditions and perform the duties enjoined upon them by law, at the time, and in the manner prescribed in the Statute.

2. As to the Auditor's Report of the School Accounts of the County and Sub-treasurers, a certified copy of the Abstract of which the Fifth clause of the Twenty-seventh Section of the Act of 1850 requires the County Clerk to transmit to this Department, on, or before, the First day of March, I have to remark, that, in a Circular dated as early as 31st or July, 1850,*I called the attention of the Council to the provisions of the School Law of 1850, in regard to the mode of securing, and paying, the local School Fund, and suggested the manner in which it could be systematized and simplified ; and in a Circular from this Department, dated 4th March, 1851,† the auditing of the accounts of the School Fund and reporting other information on school matters, was specially brought before the Council. But I regret to say that from no County has one such audited Abstracts of Accounts for 1851, as required by the clause of the Act referred to, been yet received by this Department. This has arisen, as I have been informed by some County Clerks,(who have readily furnished me with such information as they possessed on the subject), from the delay on the part of Sub-treasurers to send in their Accounts, or from the absence of that responsibility and security on the part of those Officers, which the School Law requires each County Council to see should be given. I hope that this matter will engage the prompt and effective attention of your Council.

3. Another subject which I have to bring before the Council is, the furnishing me with copies of its proceedings, "relating to School Assessments and educational matters" as required by the Third clause of the Twenty-seven Section of the Act of 1850. Some County Clerks have annually performed this duty faithfully and well; but, from others, I have received no information whatever,—either of the appointment and post office address of the Local Superintendents and County Treasurer, or of the "proceedings of your Council on Educational Matters." The attention of County Clerks was drawn to this matter also in the Circular of the 4th of March, 1851,‡—and some of them immediately either partially, or wholly, complied with the law, but have omitted to do so this year.

Accuracy and Punctuality an important part of a Municipal Business Education.

4. Accuracy and punctuality in the transaction of every kind of business connected with the interests of the several Municipalities throughout the Country, is an important branch of public education, and an essential element in the intellectual and social advancement of the people. The establishment of County and Township Municipal Councils has tended, and is largely contributing, to educate the people in a correct appreciation and management of their own local affairs. The School System carries the principle of local self-government into each School Section, as well as into each County and Township ; and as a correct and systematic manner of working it out ; of devising and accounting for all its financial operations; of reporting its state and progress ; is a comprehensive and powerful agency of social training,—apart from the advantages conferred by the Schools, and the information diffused by Reports. And it is for each County Council, by the fulfilment of its own functions, in the appointment of suitable Local School Officers, and by seeing that each of them performs his duties, as enjoined by law, to aid in procuring a real progress, and a "consummation devoutly to be wished."

5. I will lose no time, after obtaining the necessary Returns from the Counties, in notifying the apportionment of the Legislative School Grant for the year ; but, as the aggregate amount of it is the same as that of last year, the variation in the amount apportioned to each Township, arising from the variation in the comparative increase of population in different Municipalities, cannot be very great. On the basis of last year's Apportionment,

*See a copy of this Circular on page 199-202, of the Ninth Volume of this Documentary History.

† This Circular, being temporary and local in its application, has not been inserted.

your County Council might, therefore, proceed forthwith, should it think proper, to levy the local assessment part of the School Fund for the year, 1852.

TORONTO, 1st of May, 1852. EGERTON RYERSON.

BASIS UPON WHICH THE SCHOOL GRANT OF 1852 HAS BEEN APPORTIONED.

In connection with the foregoing Circular, in regard to the apportionment of the Legislative School Grant of 1852, the Chief Superintendent of Education thus explained the basis upon which he had made the Apportionment of the Grant for that year:

Each of the successive School Acts for Upper Canada has contemplated the Census of the Country as the basis of the School Apportionment to the various Municipalities, but has allowed another basis of apportionment, in the event of a defective Census. Unfortunately, no full and accurate Census of the whole population has been taken until the commencement of the current year; and, during several years, the school population, as reported by the local school authorities, has been adopted as the best basis of apportioning the Legislative School Grant. Having been long convinced that these returns were, in many instances, partial, or defective, I gave full and explicit directions to School Trustees and Local Superintendents for compiling their Annual Reports for last year; and this year returned such Reports as appeared to have been carelessly, or inaccurately, compiled, with additional suggestions for their correction. I also addressed a Circular to the Census Commissioners, in the various Counties, for copies of the Population Returns of their respective Counties: and I applied to the Provincial Board of Statistics, at Quebec, for the same purpose.* I have not yet received reports from all of the Local School Superintendents. I have received copies of the Population Returns from several of the Census Commissioners, and very courteous answers from them all; but, it was not until the last week in June, that I succeeded in obtaining, by personal application at the Statistical Office, in Quebec, complete Statistical Returns of all the Townships, (with one exception), Cities, Towns, and Villages in Upper Canada.

2. The apportionment of the Legislative School Grant for the current year, is, therefore, based upon the Population Returns of the Census Commissioners,—the Official Census of the Province,—and not upon the School Population Returns of the Local School Authorities. That there has been hitherto gross exaggeration in the School Population Returns of many School Divisions, in order to obtain as large an Apportionment as possible from the School Fund, may be fairly inferred from the fact, that by the present School Act (of 1850,) imposing severe penalties in case of conviction of making false Returns, in order to obtain an undue share of the School Fund, the gross number of children of school age in Upper Canada, according to the Local School Reports, recently received at this Department, is nearly Four thousand less than that reported the year preceding; Whereas, according to the increase of the population at large, the School Population must have been, at least, ten thousand more in December, 1851, than it was in December, 1850. Though the aggregate sum apportioned in support of Common Schools in Upper Canada, in 1852, is about the same as last year, there will be found to be considerable variation in the amounts apportioned to the Counties, Townships, Cities, Towns and Villages respectively,—the boundaries of several Counties having been altered by legislative enactment, several Villages having become incorporated into Town Municipalities, besides the variation in the Population Returns of the Census Commissioners, and those of the Local School Authorities. I think the apportionment of the Legislative School Grant for the current year, is the most equitable which has been yet made,—withholding from some Municipalities what they have heretofore obtained by exaggerated school Population Returns, and giving to other Municipalities what they would have been heretofore entitled to receive, had others made as honest Returns as themselves. It should also be recollected, that in some Counties, Townships, Cities, Towns, and Villages, there is a much more rapid increase of population than in others.

TORONTO, July, 1852. EGERTON RYERSON.

II. CIRCULAR TO CLERKS OF COUNTIES, NOTIFYING THEM OF THE APPORTIONMENT OF THE LEGISLATIVE SCHOOL GRANT FOR THE YEAR 1852.

I have the honour to transmit herewith, a certified copy of the apportionment of the Legislative School Grant for the current year, to the several Townships of the County Munici-

* None of these Documents are inserted, they being local and temporary in their character.

pality, of which you are Clerk. You will please notify each Local School Superintendent in your County of this Apportionment, so far as it relates to his charge, as provided in the first clause of the Thirty-first Section of the School Act of 1850.

2. For the convenience of the public, His Excellency the Governor General has been pleased to direct that, hereafter, the Legislative School Grant for Upper Canada shall be payable by this Department, at Toronto, instead of at the Office of the Honourable the Receiver General, at Quebec.

3. The amount of the Legislative School Grant apportioned to your County will be paid to your County Treasurer, or his Attorney, at this Office, upon application, in terms of [the foregoing] Circular to Wardens of Counties, dated the First of May last. In addition, I have to state, that no part of the Apportionment, although made, will be paid to any of those Counties and Townships, (as enumerated in the annexed Note), [not inserted], from which no certified Abstract of the School Accounts for last year has been transmitted by you to this Office, as required by the Fifth clause of the Twenty-seventh Section of the School Act of 1850,—nor until such Abstract shall have been received at this Department. From those Counties and Townships, not enumerated in that Note, satisfactory Abstracts of School Accounts have been received, and are hereby acknowledged. The clause of the Act referred to, requires each County Council "to appoint annually, or oftener, Auditors, whose duty it shall be to audit the Accounts of the County Treasurer, and other Officers, to whom School Moneys shall have been intrusted, and to report to such Council; and the County Clerk shall transmit to the Chief Superintendent of Education, on or before the First day of March in each year, a certified copy of the Abstract of such Report, and also give such explanation relating thereto, as far as he may be able, which may be required by the Chief Superintendent." In the Fortieth Section of the Act of 1850, it is provided :—

"That no County, City, Town, or Village, shall be entitled to a share of the Legislative School Grant, without raising, by assessment, a sum at least equal, (clear of all charges for collection), to the share of the said School Grant apportioned to it; and provided also, that should the Municipal Corporation of any County, City, Town, or Village, raise in any one year a less sum than that apportioned to it out of the Legislative School Grant, the Chief Superintendent of Education shall deduct a sum equal to the deficiency from the Apportionment to such County, City, Town, or Village, in the following year."

4. Now, I cannot officially know, or ascertain, whether these conditions of the law have been fulfilled in each Township, or other Municipality, without the County Auditors' Abstracts, which should be transmitted to me, on or before the First day of March in each year; whereas, such Abstracts from some whole Counties, and from many Townships, are not forthcoming even at the present time; nor can the Legislative School Grant, as intimated, be paid, (although apportioned), in behalf of such Townships, until the provisions of the law are complied with; and all parties concerned will know to whom the blame is attributable for any delay in the payment of any part of such Grant, or in the loss of it altogether, whether it be on the part of County, or Township, Officers, or both.

5. One reason assigned, in some instances, for not making these Returns, is, that the Accounts could not be obtained from the Township Treasurers, who had been appointed County Sub-treasurers for the receipt and payment of School Moneys. Now, no County Council is required to appoint a Sub-treasurer for School Moneys, unless it shall judge it expedient; nor ought it to do so without providing that every Sub-treasurer, thus appointed, shall perform every duty in the payment and accounting for School Moneys, as would the County Treasurer himself. The provisions of the law are very explicit on this point, requiring each County Council :—

Fourthly, To see that sufficient security be given by all Officers of such Council to whom School Moneys shall be entrusted; to see that no deduction be made from the School Fund by the County Treasurer, or Sub-treasurer, for the receipt and payment of School Moneys; to appoint, if it shall judge expedient, one or more Sub-treasurers of School Moneys, for one or more Townships of such County: Provided, always, That each Sub-treasurer shall be subject to the same responsibilities and obligations, in respect to the accounting for School Moneys, and the payment of lawful orders for such moneys given by any Local School Superintendent within the parts of the County, for which he is appointed Sub-treasurer, as are imposed by this Act upon each County Treasurer, in respect to the paying and accounting for such moneys.

6. In the neighbouring State of New York, the law has not allowed, from the beginning, any part of the School Moneys provided by the State, to be paid, (though apportioned) to any City, Township, or County, without such municipality previously raising an equal sum, by local tax, and attesting, under oath, to the State Department of Common Schools, that such sum had actually been assessed and paid for the support of Common Schools. Our law provides for the apportionment and payment of the moneys, provided by the Legislature, before the raising of a like sum by tax, or assessment, in each Municipality,—only requiring that such sum shall be provided in each Municipality by assessment in the course of the year, and

that this shall appear by returns from each Municipality, on or before the First day of March of the year following.

Now, the efficiency and progress of the School System cannot be maintained, and its noble objects accomplished, unless the provisions of the law are punctually and thoroughly acted upon by all parties concerned. These are not mere arbitrary provisions ; they are means to a great end,—the social elevation of the whole population of the land. And this elevation is not effected merely by the Schools, but by teaching and habituating the people at large to transact all their public affairs, —from the School Section to the County Municipality,—in a business-like manner. The accuracy, punctuality, and method observed in such proceedings, will soon be extended to all the transactions of domestic and private life, and thus exert a salutary influence upon all the social relations and personal habits of the whole people.

7. I cannot, therefore, press too strongly upon your Municipal Council the subjects referred to in this Circular, as well as in my [preceding] Circular to Wardens of Counties referred to ; and, as I have provided and furnished blank forms for all the Reports and Returns, required by the School Act, I can imagine no good reason for neglect, or delay, in the transmission of them from any County, as prescribed by the Statute.

8. In order to remove all possible excuse for the Treasurer, or Sub-treasurers, not preparing and presenting, in proper time, to the County Auditors, accurate and full Accounts of the School Moneys received and paid in behalf of each Township, I have prepared, and I herewith transmit to your address, blank forms of such Accounts, with directions for filling them up,—one copy of which you will have the goodness to furnish to each of the Sub-treasurers of School Moneys in your County, for the current year. It will be recollected, that the order of the School Trustees, in behalf of a legally qualified Teacher, (endorsed by such Teacher,) and delivered to a Local School Superintendent, will be such Superintendent's authority and receipt for his cheque upon the County, or Sub-treasurer, for the amount of such order, and that cheque, (also endorsed by the Teacher), will be the Treasurer's receipt for the amount specified on the face of it, and will constitute his Voucher for the payment of such amount, in presenting his Accounts to the County Auditors. For convenience, each Voucher should be numbered, as provided in the blank forms of Accounts herewith transmitted. To meet the case, and relieve the embarrassment of those delinquent Counties and Townships enumerated in the Note attached to this Circular, a sufficient number of copies of the forms will be found in the parcels sent herewith. They might be filled up for last year, and transmitted to the County Auditors without delay, so as to enable you to forward to me an Abstract of the Auditors' Report, previous to the Apportionment being paid to your Treasurer by this Department.*

TORONTO, 10th July, 1852. EGERTON RYERSON.

III. CIRCULAR TO LOCAL SUPERINTENDENTS OF SCHOOLS ON THE MODE OF APPORTIONING SCHOOL MONEYS FOR THE YEAR 1852 ; AND ON OTHER MATTERS.

I have the honour to inform you that I have notified your County Treasurer that the apportionment of the Legislative School Grant will be payable hereafter at the Office of this Department, Toronto, instead of, as heretofore, at the Office of the Honourable the Receiver General, at Quebec.

2. (Note The Second paragraph of this Circular is omitted, it being substantially the same as in the Circular to Wardens of Counties on pages 251-253 herewith).

3. On the receipt of the notification by you, from the County Clerk, of the amount apportioned to your Township, you will proceed to distribute the same, as authorized by law, "among the several School Sections, entitled to receive it, according to the average attendance of pupils attending each Common School, (the mean attendance of pupils for both Summer and Winter being taken,) as compared with the whole average number of pupils attending the Common Schools of such Township."

4. As previously intimated, you will take the average attendance of pupils at the School for last year as the basis for distributing the Legislative Grant part of the School Fund for the current year. Should any inequalities occur in this mode of distribution, the matter can be made a subject of consultation and suggestion at the School Conventions which I hope, (D.V.) to attend in the several Counties of the Province this Autumn, with a view to its equalization, for the distribution of the Municipal Assessment part of the School Fund at the end of the year. ‡

* A full exposition of the principle adopted in making the apportionment of the Legislative School Grant for 1852 was appended to this Circular, but, as a similar explanation is prefixed to the foregoing Circular to Wardens of Counties, and printed on page 253 of this Volume, it is omitted here.

‡ The arrangements made for the holding of these County School Conventions by the Chief Superintendent and the results arrived at, if possible, will be given in a subsequent part of this Volume, or in the next Volume.

5. In apportioning to new School Sections you will take the average attendance of pupils for the first half year, as the basis of distribution of the Legislative Grant part of the School Fund; the distribution of the Assessment part of the School Fund can be made upon the average attendance Returns of the last half year, or otherwise, as may hereafter be determined.

6. As to the term "average attendance," I may here repeat the suggestions which I made on the subject in my Circular of the Twenty-eighth of June, 1851, [The extract for the Circular here referred to is not inserted, as it will be found on pages 47, 48 of this Volume.]

7. In taking this average attendance as the basis of apportionment, you will, of course, omit, so far as your information extends, those pupils who may have attended from other School Sections. If they do not attend the School in their own Section, their numbers cannot be included in the Returns, upon which your distribution shall be based, as it is at variance with a principle of the School Law that children should go into another School Section to obtain that education, which the law requires to be provided in their own.

8. In regard to the difficulty of distributing the School Fund equitably among Union School Sections, I have given the subject a good deal of consideration. Viewed however, in any aspect, it still presents several obstacles to our arriving at a satisfactory settlement of the question. It is one which will very appropriately form a topic of remark and consultation at the contemplated School Conventions next Autumn. In the meantime, I would recommend the Local School Superintendents of adjoining Townships, from which Union School Sections are formed, to meet and determine among themselves the sum, or sums, which shall be payable from the Legislative Apportionment and Assessment parts of the School Fund of each Township concerned, in support of each Union School Section; and also determine the manner in which such sum, or sums, shall be paid—due notice being given to the School Trustees and local Treasurers concerned. In case of a disagreement on the subject on the part of the Local Superintendents of the adjoining Townships, a joint statement of the case can be submitted to this Department for final decision. But I expect you will have little difficulty on this point, as the School Grant is apportioned for the current year according to the General Population Returns of the Province, as reported by the Census Commissioners, and not, as formerly, according to the School Population Returns contained in the Local School Superintendents' Annual Reports.

9. These remarks, on the modes of apportioning the School Moneys, of this year will, I hope, be sufficient to guide you in performing this part of your duty, as specified in the School Act of 1850. And I trust that my official engagements will not prevent me from conferring with you, at the County School Convention, the ensuing Autumn, upon this and other important subjects connected with the efficient working of our School System.

TORONTO, July 1st, 1852. EGERTON RYERSON.

IV. CIRCULAR TO CLERKS OF CITIES, TOWNS AND VILLAGES, NOTIFYING THEM OF THE APPORTIONMENT OF THE LEGISLATIVE GRANT FOR 1852.

I have the honour to intimate to you, as provided in the Thirty-fifth Section of the School Act of 1850, for the information of the Council, of which you are Clerk, and of your Board of Common School Trustees, that the sum placed opposite the name of your Municipality in the accompanying list* has been apportioned to it for the current year, out of the Legislative School Grant appropriated to Upper Canada.

2. By the Forty-second Section of the School Act of 1850, the money thus apportioned is payable to the Treasurers of those Cities, Towns and Villages, which have complied with the Fifth clause of the Twenty-seventh Section of the Act, as well as other provisions of the law. I have to state that no apportionment, (although made and notified,) will be paid in behalf of any of those Cities, Towns and Villages, from which no certified Abstract of School Accounts . . . has been received at this Department; nor until such Abstract shall have been received.

3. For the convenience of the public, His Excellency the Governor General has been pleased to direct that, hereafter, the Legislative School Grant will be payable at the Office of this Department, Toronto, instead of at the Office of the Honourable the Receiver General, Quebec.

4. As required by the Twenty-first Section of the Act, taken in connection with the Second proviso of the Third clause of the Twenty-seventh Section, you will please favour me from time to time with a copy of the proceedings of your Council on educational matters.

5. On the subject of the basis of the apportionment for this year, I have to refer you for information to the Circular addressed to Clerks of Counties, [printed herewith on page 253].

TORONTO, 10th of July, 1852. EGERTON RYERSON.

* This list of the Municipalities, to which the School Grant was made, is not inserted.

V. CIRCULAR TO CLERKS OF COUNTIES TRANSMITTING COPIES OF THE CHIEF SUPERINTENDENT'S ANNUAL REPORT, AND OTHER DOCUMENTS FOR DISTRIBUTION AMONG THE VARIOUS MUNICIPAL AND SCHOOL OFFICERS.

The Legislative Assembly of the Province has recently ordered a sufficient number of copies of my Annual School Report for last year, (1851), to be printed so as to furnish a single copy to each Municipal Council, School Corporation, Local School Superintendent and Board of Public Instruction in Upper Canada; and I have sent to your address a Box containing a copy of that Report for your County Council, County Board of Public Instruction, each Township Council, each Local School Superintendent, and for the Trustee Corporation in each Township, City, Town, and Incorporated Village in your County; also a Descriptive Catalogue of Maps and other School Requisites for each of the foregoing parties.—a Teacher's Register for each Common School in your County, . . . a blank form of Annual School Report for each Local Superintendent and for the School Corporation in each City, Town, and Village in your County, together with a few extra copies of the pamphlet edition of the School Act of 1850, and of my Annual School Report for 1850, which also contains a copy of the School Act and several other papers of permanent value.

2. All of these Documents are to be delivered without charge to the parties for whom they are intended; and I confidently rely upon your co-operation and efforts to distribute them as promply as possible. I am sure you will feel a pleasure in seconding the measures which, by the sanction of the Government and the aid of the Legislature, I am enabled to adopt, for the wide circulation of the Annual School Reports, and for supplying each School with a Register, without charge to the Trustees, or Teacher. Each Local School Superintendent will inform you of the number of School Reports and School Registers, which will be required to supply the rural School Sections under his charge; and should you require any additional copies of any of these Documents, to accomplish the object proposed, I will be happy to forward them to you. . . .

TORONTO, November 30th, 1852. EGERTON RYERSON.

VI. CIRCULAR TO LOCAL SUPERINTENDENTS OF SCHOOLS, TRANSMITTING COPIES OF THE CHIEF SUPERINTENDENT'S ANNUAL SCHOOL REPORT, AND OTHER DOCUMENTS FOR THE USE OF THE TRUSTEES OF EACH RURAL SCHOOL SECTION.

I have transmitted to your County Clerk a sufficient number of my last Annual School Report, and of Teachers' Registers, to furnish a copy to each rural School Section under your superintendence Also, a blank form of Annual Report, a copy of the Descriptive Catalogue of Maps and School Requisites, and a copy of my last Annual Report for yourself. You will, therefore, please apply to the County Clerk for these Documents, and supply them to each of the School Sections within your jurisdiction, . . . as soon as convenient. The Post Master General has directed that these Documents shall be distributed at no higher rate of postage than that charged upon Parliamentary Papers.

2. . . . The Registers, as well as the Annual Report, will be given to you . . . by the County Clerk, as soon as he shall have received the Box containing them, according to the number of School Sections reported in 1851. Each Report sent out is addressed to the party for whom it is intended. To prevent errors, or confusion, therefore, you had better give a receipt to the County Clerk for whatever copies of the Reports, or Registers, you may require for distribution among the different School Sections. I have already sent through the post office to your address, a sufficient number of blank forms of Trustees' Annual School Reports for 1852.

3. In addition to a copy of my last Annual School Report, you will be gratified to learn that I am enabled, by the sanction of the Government, to furnish each School Section with a School Register, without charge to the Trustees, or Teacher. There cannot, therefore, in future, be the shadow of an excuse for not having each School provided with a proper Register for recording the names and daily and average attendance of children.

4. I am happy also to state that provision will also be made to enable me to furnish without charge, even for postage, to the parties receiving it, a copy of the next volume of the *Journal of Education* to the Trustees of each School Section, and to each Local Superintendent of Schools throughout Upper Canada.

5. Having continued that periodical for five years, without its being circulated in more than one thousand of the School Sections in the Country, I was unwilling to continue this labour and responsibility another year without some arrangement being made, by which it should find its way to all of the School Sections for which it was intended. I am sure you will

have much pleasure in learning that provision will be made by the Legislature for the accomplishment of this object. . . . No effort will be wanting on my part to render as beneficial as possible to the people at large this liberal arrangement for the diffusion of educational and general knowledge ; and I am confident of your cordial cooperation in enabling me to do so. As I intend to furnish the December number of the *Journal of Education*, (containing all needful information and suggestions as to the Annual School Meetings to be held the second Wednesday in January, Annual School Reports, etectera), to the Trustees of each School Section in Upper Canada, I will transmit a sufficient number of copies to your address to supply the several School Sections under your charge. . . . I must also beg of you to favour me, between this and the first of January, with the post office address of the Trustees of each School Section within your charge. The *Journal of Education* will be addressed, not to individuals, but to "The Trustees of School Section No. —." What I desire from you, therefore, is, merely the name of the Post Office at which the Trustees of each School Section shall be addressed.

6. Any suggestions which I may have to offer,in regard to the school affairs of the ensuing year, (which I hope will be more auspicious than any preceding one), will be found in the next number of this periodical.

TORONTO, November, 30th, 1852. EGERTON RYERSON.

CHAPTER XXI.

EDUCATIONAL PROCEEDINGS OF COUNTY COUNCILS, 1852.*

I. THE UNITED COUNTIES OF YORK, ONTARIO AND PEEL, 1852.

The Standing Committee of the Home District Council on Education, at the conclusion of its report on various matters, stated that the Committee was convinced that, if the mode of Circuit School superintendence, with the concurrence of the people, be persevered in, and the Common Schools sustained on the Free School System, now happily becoming prevalent in the County, a state of high attainment, both in mental and moral education, will be speedily realized, which will be hailed with delight by every friend of his race, and which will eventually place our Country in the foremost ranks of human civilization.

TORONTO, 2nd February, 1852. W. H. MITCHELL, Chairman.

The same Standing Committee, in a subsequent Report, stated that it had under consideration the Circular of the Chief Superintendent of Education to the Wardens of Counties, dated the First of May, 1852 [page 251] relative to the inefficient or non-performance of duty by the Local School Superintendents and others, in respect to furnishing Reports and Returns, upon which alone the proportion of the annual appropriation of the Government Grant, for Common Schools, accruing to these United Counties of York and Peel can be calculated, and the want of which has necessarily precluded him from making such apportionment within the time fixed for doing so by the Statute. . . .

2. In order to conduce to the removal, or diminution, of the causes of complaint thus afforded, by the neglect of duty in certain cases alluded to in the Circular of the Chief Superintendent of Education of the 1st of May last, in the propriety of which your Committee fully concur. Your Committee have prepared, and will, submit to the action of the Council the draft of a Resolution to authorize the County Treasurer to retain in his hands the amount of the salary of any School Superintendent, until he shall produce a Certificate or other acknowledgement from the Department of the Chief Superintendent, stating that all the duties of such Officer affecting such Department have been duly performed ; by the adoption of which by the Council, Your Committee believe that a more satisfactory state of things, in this respect, will be induced.

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*Only such portions of the Proceedings of these County Councils as are of general, or public, interest are inserted,—it being very desirous to shew to what extent these important Municipal Centres cooperated with, and aided in, the local administration of the Common School Laws, and maintained the general School System.

2. Your Committee avail themselves of the present opportunity, most earnestly, to impress upon the attention of all entrusted with the performance of duties and functions connected with the present System of Common School Education, the necessity which exists, of assiduity, punctuality and increased diligence, on their part, in the discharge of such duties,—for it must be obvious, that errors and omissions on the part of those required to exercise functions of the subordinate nature alluded to, must necessarily militate most seriously to the disparagement of the School System generally,—a result which certainly all would deeply deplore, and, consequently, are bound to use every lawful means to obviate, or prevent.

3. In reference to the statement of the expenses of the Board of Public Instruction, . . . your Committee recommend that the . . . account be paid . . .

JOSEPH HARTMAN, Chairman, *pro tem.*

TORONTO, 22nd of June, 1852.

II. THE MUNICIPAL COUNCIL OF THE COUNTY OF HASTINGS.

The Warden of the County, in his Address to the Council, stated that: From a Report submitted to Parliament by the Chief Superintendent of Education for Canada West, I gather and compile the following gratifying facts in connection with our Schools:—

Belleville stands at the head of all the Towns and Cities in Upper Canada for sending the largest number of children to school, in proportion to their population; and, I am sure that if this was the position which the Town of Belleville occupied in 1850, it will be more conspicious in the next and following years. The Townships of this County I have arranged for reference according to the tables given in the following Schedule:—

SCHEDULE SHEWING THE AVERAGE NUMBER OF CHILDREN ATTENDING SCHOOL IN THE COUNTY OF HASTINGS, 1851, 52.

Townships.	Adult Population.	Children Between the Ages of 5 and 16.	Number of Pupils.	Number of Indigent Pupils.	Total Number of			Average Number of Months each School has been open.
					Pupils.	Boys.	Girls.	
Hungerford	2,522	781	383	10	383	197	186	9½
Huntingdon	2,098	619	336	0	336	183	153	7
Madoc and Elzevir	2,021	784	523	17	523	260	263	6¾
Marmora	534	255	61	0	61	31	30	6
Rawdon	2,348	811	542	6	542	314	228	7¾
Sidney	3,380	1,233	931	26	931	514	417	8
Thurlow	3,237	1,303	894	26	894	472	4 2	9
Tyendinaga	3,991	2,088	862	9	862	463	399	9⅓
Total	20,1' 1	7,874	4,532	94	4,532	2,434	2,098	

The successful operation of our County Grammar School induces me to bring under your notice the fact, that, under certain restrictions three additional Grammar Schools may be established in different parts of the County. Having urged upon you the propriety of aiding the inhabitants of the Town of Belleville to put up their Buildings, I shall not hesitate to recommend to this Council a similar grant for each of the Grammar School Buildings, whenever they may be determined upon by this Council, I shall do so, as well from the conviction that it is our duty, to aid in the work of improving education, as from the conviction that it is the best policy and system of Legislation. Educate and refine the mind, and you require less stringent laws to confine men within those limits so essential for the existence of social order.

This Address of the Warden to the Council having been referred to a Committee that Committee reported as follows :—

Your Committee recommend that that part of the Warden's Address referring to Grammar Schools be referred to a Select Committee. This was done and that Select Committee also reported as follows :—

Your Committee having had the subject of additional Grammar Schools in the County of Hastings, under consideration, are of opinion that the rapid increase of population and growing intelligence of the County, require additional facilities of Education. Your Committee would therefore recommend that there be granted out of the County funds, to assist in the erection of four suitable Buildings for Grammar Schools, the sum of Fifty pounds (£50), each to be situated as follows, namely, one at the Village of Stirling in the Township of Rawdon, one in the Village of Shannonville in the Township of Tyendinaga, one in the Village of Hastings in the Township of Madoc, and one in the Village of Roslyn, commonly known as Hungerford Four Corners, to be paid to the Trustees of such Schools, on the order of the Warden, as soon as the Buildings shall be completed and the Government allowance secured.

BELLVILLE, June 9th, 1852. N. S. APPLEBY, Chairman.

III. UNITED COUNTIES OF WENTWORTH, HALTON AND BRANT.

The Standing Committee on Education of the United Counties of Wentworth, Halton and Brant, report to the Council as follows :—

Having had under consideration that part of the Warden's Address relating to the reorganization of the Board of Public Instruction, your Committee approve of the course taken by that portion of the Board, composing the Local Superintendents, in proceeding to discharge the duties incumbent on that Body . . .

2. Your Committee recommend the Council to memorialize the Legislature, to make such alteration in the School Act as would insure more responsibility to the people on the part of all the Members of the Board of Public Instruction, and suggest, that, in the event of Grammar School Trustees being continued as Members of the Board, their appointment should emanate from the County Council. . . .

3. Your Committee have also had before them the Official Circular of the Chief Superintendent of Education, to Wardens of Counties of the First of May, [page 251], which Document bears evidence of that Officer's desire to promote the Common School interests of the various Counties. By this Communication, it appears that the financial Audited School Accounts for the several Municipalities of this County, as also the School Reports from [certain Townships named], which are necessary to enable the Chief Superintendent to apportion the Public School money, have not been furnished to the Head Office. Your Committee, therefore, recommend that the Clerk do call the attention of the above-named Municipalities to the want of these Reports.

HAMILTON, 6 May, 1852. JOHN SMITH, Chairman.

IV. THE COUNTY OF NORFOLK MUNICIPAL COUNCIL, 1852.

The Minutes of the Educational and other Proceedings of the County of Norfolk not having been available, the following correspondence with officials of that County is taken from the Records of the Education Department :—

I have much pleasure in being made the medium of communicating to you the annexed Resolution, unanimously passed by the Council of this County, at its recent Session, and to add, which I do with great satisfaction, my most willing testimony to the great ability, indefatigable industry, and untiring zeal with which you have laboured in the long-neglected, but now, thank God, universally appreciated, cause of Common School Education, since I have had the honour of being the channel of communication, through which your exertions have been,

though only partially, made known to the inhabitants of this, I believe, your native County. Accept, Reverend and Dear Sir, the assurance of my high regard, and believe me to be (etcetera),

SIMCOE, December 27th, 1851. STEPHEN J. FULLER, County Clerk.

Moved by Mr. N. C. Ford, seconded by Mr I. W. Powell, and,——

Resolved, First,—That this Council has much pleasure in availing itself of this opportunity of expressing their approbation of the energy and efficiency displayed by the Chief Superintendent of Education, in the discharge of his arduous duties, and to thank him for his handsome donation of Maps, Historical Prints and other School Requisites, lately forwarded to this Council for the use of the School Officers of the County.

Second,—That the County Clerk be instructed to transmit a copy of this Resolution to the Reverend Egerton Ryerson. And the motion was passed unanimously in the affirmative.

REPLY TO THE FOREGOING LETTER BY THE CHIEF SUPERINTENDENT.

I have the honour to acknowledge the receipt of your Letter of the Twenty-seventh Ultimo, and, in reply, I beg to express my respectful and most heartfelt thanks to the Members of the Council of the County of Norfolk for the approving and complementary terms in which they are pleased to acknowledge the receipt of the Document and Maps, which I had the pleasure of presenting to them. I desire also to make my grateful acknowledgments for the very handsome manner in which you have communicated the Resolution of your County Council.

2. From the Municipal Council of my Native County I have never experienced unkind opposition, but have been encouraged by its patriotic co-operation ; and it affords me no small satisfaction, that that same Council is the first in Upper Canada to acknowledge the receipt of the Documents and Maps referred to ; that the Resolution of the Council was seconded by an old School Fellow, and couched in terms to me the most gratifying and encouraging ; and that my first Official Letter of a new Year relates to topics which call up the earliest associations of my youth, and are calculated to prompt and impel me to renewed exertions for the intellectual and social advancement of my native land.

3. There is no party in the establishment and development of a Public School System ; it is a matter-of-fact work, from beginning to end ; and its progress, like the growth of body and mind in an individual, is gradual, and is the joint result of time and labour. I am happy, however, to know that our School System has already become so far developed in its principles, objects and character as to command the attention and almost unanimous approbation of the Country. I have laid it down as a first principle that the proper and right thing to do is to educate the people through the people themselves, by their own voluntary co-operation and exertion through the usual elective Municipalities and other acknowledged and responsible organs of a free people.

4. No person, who has at all studied the subject of comparative School Legislation between Canada and other Countries, can fail to observe, that there is an extent of local discretion and power in each of our School and County Municipalities not found in any one of the neighbouring States of the adjoining Republic, while there are other elements incorporated into our School System which secure to the remotest Municipality of Upper Canada the information and facilities which can alone be acquired and provided by a Public Department. But the rational conviction and voluntary co-operation of the people themselves have been relied upon, and appealed to, as the basis of exertion and the instrument of success. When, therefore, steps were taken to improve the Text-books of the Schools, a set of the Books recommended was procured and furnished to each Municipality in Upper Canada, so that the people might examine and judge of the desirableness of the Books proposed, in regard to both excellence and cheapness. In promoting an improvement in the condition and character of School Houses, Plans and illustrations of School Houses and Premises were procured by this Department and placed in the hands of the local Municipal Councils, and several of these Plans were published in the *Journal of Education for Upper Canada*.* The same course has been adopted in respect to School Maps and Requisites, and in pressing upon the public mind the necessity and advantage of duly qualified School Teachers, a Normal Institution has been established to train them ; and the specimens of Teachers thus trained, (though but partially trained in most instances, owing to the short period of their attendance during training), have excited a desire and demand for improved Teachers in every County in Upper Canada. I trust that this year will witness the introduction of County and Township Libraries, thus completing the establishment on a practical footing every branch of our School System.

*See references to School Houses and School Architecture on page 270 of the Eighth Volume of this Documentary History.

5. In all of this, there has been no exertion, but a perfect blending of freedom and unity of conviction and action; and the entire absence of any opposition to the School System during the recent political elections throughout Upper Canada, shows how great and cordial is the belief of the people of the Province to its adaptation to their circumstances and interests.

6. I have the deepest conviction of the strong common sense and patriotism of the Canadian people at large. A conviction founded on long observation and comparison between the people of Canada and those of many other Countries; and I have a faith, little short of full assurance, as to the advancing and glorious future of our Country. With this conviction and faith, and animated with the consciousness of general approval and co-operation on the part of the people, I shall renew my humble contributions of labour to the Common Treasury of Canadian progress and civilization.

EGERTON RYERSON.

TORONTO, January 2nd, 1852.

(2) FROM THE COUNTY OF NORFOLK BOARD OF PUBLIC INSTRUCTION.

I do myself the pleasure of handing you the subjoined copy of a Resolution, passed at a recent meeting of the Board of Public Instruction for the County of Norfolk. I also take leave to transcribe another Resolution more especially directed to the Local School Superintendents of their County, but illustrative of the professed belief of the Members of the Board, of the great usefulness of the works submitted by you.

JAMES COVERNTON, Honorary Secretary, Board of Public Instruction.

SIMCOE, December 29th, 1851.

Resolved. That the Honorary Secretary be requested to convey to the Reverend Egerton Ryerson, Chief Superintendent of Education, the thanks of this Board, for his handsome donation of Books; and, at the same time to express to that Gentleman, the high sense entertained by this Board of the unwearied zeal and great ability displayed by him in the discharge of his arduous and important duties.

Resolved. That the Members of this Board having carefully examined the Maps, Prints and Specimens of Natural History, and other School Requisites, forwarded by the Chief Superintendent of Education to the Clerk of the County Council, (and deposited in his Office for the inspection of the School Officers of the County,) have much satisfaction in bearing testimony to the superiority of such specimens over those commonly used in the County Schools, and, therefore, earnestly urge on the Local School Superintendents and Trustees, the paramount importance of providing a suitable supply of such essential Requisites for the School Sections in the County.

REPLY TO THE FOREGOING LETTER BY THE CHIEF SUPERINTENDENT.

I have the honour to acknowledge the receipt of your Letter of the Twenty-ninth Ultimo, enclosing to me certain Resolutions of the Board of Public Instruction for the County of Norfolk; and I return my sincere thanks for the terms in which my humble exertions are referred to. I rejoice at the judicious and earnest course which your County Board has taken to promote the objects which I had in view in presenting to the Board the Publications to which you allude, by examining them and recommending the general introduction of them into the Schools of the Country. I hope the poorest boy in my Native County may have access to a better Common School than existed when I was there as a lad. What I witnessed and felt in my boyhood has given birth to the strongest impulses of my own mind to do what I could to place the means and facilities of mental development and culture within the reach of every youth of the land.

2. I am more than gratified, I am profoundly impressed, that such efforts are made for the interests of the young and future generations in the County of Norfolk. The County is very dear to me by a thousand tender recollections; and I still seem to hear in the midst of it a voice issuing from a Mother's grave, as was wont formerly from the living tongue, telling me that the only life worthy the name is that which makes man one with his fellow man and with his Country.

EGERTON RYERSON.

TORONTO, January 3rd, 1852.

VI. United Counties of Lanark and Renfrew, 1852.

The following Letter from the School Superintendent of the Town of Perth was received by the Chief Superintendent of Education:—

. . . We have not yet received your Report on Education for last year, which, as Superintendent of Schools for Perth, I have been looking forward to receiving it, with interest. . . . I enclose you some School items for the *Journal of Education*.

Free Schools are the order of the day in Perth, and a manifest improvement has in consequence, taken place both in the attendance and efficiency of the Schools.

In the State of New York, the Free Schools have entered into a "compromise" it appears with their opponents. You will observe that, in Upper Canada, under our Assessment Law, parties, who have three, or four, children at School and of moderate means, in reality pay no assessment, as they receive back in the shape of schooling more than all their taxes; for all purposes is not the principle of equity violated here? Do you see great objections to a change, under which all parties assessed, under a given amount, should have the school free; those able to pay and assessed above that amount should pay a rate for every child over two, sent to the school or according to a system, in which the Assessment and Rate Bill should be combined. Would it injure the Free School cause to advocate such a compromise?

Perth, January 17th, 1852. W. O. Buell, School Superintendent.

Reply to the foregoing Letter by the Chief Superintendent.

I have the honour to acknowledge the receipt of your Letter of the Seventeenth instant, and thank you for the items of information you have communicated for the "*Journal of Education*," and for your cordial co-operation in the work of universal Education.

2. The Box containing Reports and School Requistes for the United Counties of Lanark and Renfrew was shipped by the Propeller "Scotland" on December the third. . . . Notice of the fact was sent at the same time to your County Clerk.

3. I am glad to learn the success of the experiment of Free Schools in Perth: but I should regret any diversion from the great principle of Free Schools on the part of any of its advocates, such as is involved in your question of "Compromise."*

4. I think compromise is unnecessary. The Board of Trustees in each City, Town, and Incorporated Village and the Trustees and their constitituents in each School Section have authority to adopt the Free School System, or the Rate-Bill System, or the "compromise," of which you speak, as they may think best. They can adopt any and every mode of supporting their Schools they please, with the single exception of imposing a general poll tax on children. Therefore, all that you propose is now in the power of School Municipalities. I am not prepared, under present circumstances, to advocate the compulsion of any particular mode of supporting Schools by an Act of the Legislature. I think it is best to leave it an open question to be decided upon, from time to time, by each School Municipality, until the views of the great majority of the ratepayers of the Country shall have become settled on the subject.

5. I think there is no such thing as "compromise," strictly speaking in the Free School Question, any more than there is between virtue and vice. A "compromise" in the case, in my opinion is an abandoment of the fundamental principle of Universal Education. The Act of the New York Legislature, to which you refer, was indeed called a "compromise," but it was merely an increase of the Public School Fund by State Taxation, and, therefore, in a proportion, lessening the amount of the sums required to be raised in School Sections, or districts, by Rate-Bill; it did not make any distinction between tax payers, such as you suggest in regard to the payment, or non-payment, of Rate-bills. The principle involved in your proposition appears to me not only at variance with the principle of Free Schools, but the converse of it, and a subversion of the very principle of a general tax for the promotion of Education. If the number of children sent to school free of Rate-bill by any parent is to be determined by the amount of school tax he pays, then the man who sends, no children ought to pay no school tax, and the man who pays little, or no, school tax ought to send no children without paying a Rate-bill. This appears to me to involve the worst form of the Rate-bill System and the ultimate destruction of any Public School System whatever.

6. Then again, if the extent of the rights of children of free access to the school depends upon the amount of school assessment paid by their parents, education is viewed as the peculiar interest of families, in contradistinction to that of the State, or the Country at large. This is

* This "Compromise" Scheme is a union of School Rate and Rate-bills.

the very point, nay, the whole question of antagonism between the oppenents and advocates of Free Schools; the former viewing it as a private interest, for which each one should pay according to private advantage received ; the latter viewing it as a public interest, irrespective of particular families, or individuals. The man who adds the largest number of children as the subjects of education to a community, especially in a comparatively new country, is among the greatest benefactors, and, I think, ought to be cordially thanked rather thar additionally taxed for his contributions to the living, vital wealth of the Country.

7. I have not time to enlarge further on the subject ; but I am persuaded, when you come to think upon it carefully, you will be satisfied that there can be no compromise manoeuvre, or other platform, for the education of the entire population that the simple principle of Free Schools – a principle, which I am persuaded, is as essential to the highest civilization and freedom of a whole people as is the principle of gravitation to the existence, order and glory of the solar system.

Toronto, January 23rd, 1852. Egerton Ryerson.

A Special Case Submitted by Mr. William Lyon Mackenzie.

As the following correspondence deals with a practical question of School Law and of administration, I insert it in this place. The writer was a well known Public Man in his day. Mr. Mackenzie's Letter is as follows :—

The associated body, called "Ebenezer," in Moulton and Camboro Townships, Haldimand County, have sent me down the enclosed Letter, as containing their views on the Educational question, and I am requested to transmit, or deliver, the letter to you.

They complain, that, their Manual Labour School has not had fair usage, and they seem to expect redress, in part, from your Office, and, in part, from Legislation of the sort indicated in their statement.

Quebec, 6th of January, 1852. Wm. Lyon Mackenzie.

Reply to the Foregoing Letter by the Chief Superintendent.

I have the honour to acknowledge the receipt of your letter of the sixth instant, enclosing one from an Association in Moulton and Canboro, seeking to have their Manual Labour School recognized as one of the Common Schools in the Townships. Last year, I received a Letter from the same party on the same subject. But I do not see how legal provision can be made, to convert the Manual Labour School of the "Ebenezers" into a Public Common School, any more than to convert the two Weslyan Manual Labour Schools,—(the one at Alnwick, and the other at Muncey,) into Common Schools ; or the school of any other Religious Body, or Association, or private individual, into a Public Common School.

The supporters of many Private Schools, and many, who avail themselves of the Grammar Schools, object to being taxed for the support of Common Schools. The Lord Bishop of Toronto, (Doctor Strachan), has strongly objected, in his Charges to his Clergy, to being taxed for the support of Common Schools ; but the validity of such objections from any such parties, has never been recognized. Nor do I know why the Members of the Association of "Ebenezers" should be exempted from Public School taxes, any more than Members of other Associations.

As to their Manual Labour School being recognized as one of the Section Schools of the Township, it belongs to the Township Council, (as I have heretofore informed the party whose Letter you enclose,) to establish and alter School Sections,—a matter in which I have no authority to interfere. If the parties concerned are willing to comply with the provisions of the Common School Law, and, if it will be for the public interests of the neighbourhood, in which they reside, that their School should be thus recognized, the Representatives of the people, among whom they live, are the best judges in the matter. And even the Trustees of the School Section, including their Manual Labour School, can recognize the Teacher of it as their Teacher, and pay him accordingly, if he is legally qualified to teach, if they should judge best to do so. But, I do not think, that the Township Council, or people in the School Section concerned, should be forced, against their own will and legal right to have the Manual Labour School of the "Ebenezers" made the School of the Section, for their children.

With these explanatory remarks, I herewith return the Letter which you were so good as to enclose*

Toronto, 10th of September, 1852. Egerton Ryerson.

* No copy of the Letter enclosed was kept in the Education Department at the time.

CHAPTER XXII.

THE SEPARATE SCHOOL QUESTION, IN 1852.

On pages 88-92 of this Volume I have inserted what took place on the Separate School Question in 1851. I now, in this Chapter, give the more important proceedings which took place on that Question in 1852.

1. ROMAN CATHOLIC SEPARATE SCHOOLS IN THE CITY OF TORONTO, 1852.

Early in the year 1852 a Correspondence took place between the Separate School Board and the Public School Board of Toronto, on the subject of the "probable amount of the School Rates to be appropriated to the use" of the Roman Catholic Schools of the City by the Public School Board. In making an inquiry on the subject, the Trustees of the Separate Schools wrote the following Letter to the Public School Board :—

As Trustees of the Catholic Schools of this City, we beg leave, on behalf of the Catholic inhabitants, to submit the accompanying statement, shewing the number and character of our Schools, and attendance at each, with the view to obtain such proportion for the current year of the School Funds at your disposal, as your shall consider our numbers are entitled to.

2. It is, perhaps, unnecessary to observe, that a statement rendered at this period of the year cannot be taken to represent fairly the average attendance for the whole year,—the poverty of a large portion of our population preventing many parents from sending their ill-clad children to school during the Winter months.*

3. We think it, therefore, but reasonable to compute the number likely to attend our Schools during the ensuing seven months, at nearly, if not fully, a-fourth more than now represented, and trust, whatever may be the amount the Board shall see fit to apportion in view of our present numbers, due consideration will be given, at the close of the year, to the large increase which we anticipate our Summer and Fall's attendance will exhibit.

4. We partake, equally with yourselves, of the desire to see the blessing of education enjoyed by all classes. Our aim, like your own, is to secure for our youth that system best calculated to instruct and elevate. We hope our application will be met in the spirit of equity, and that the amount placed at our disposal shall be commensurate with the requirements of the large Body we represent.

TERENCE J. O'NEILL, on behalf of Trustees.

TORONTO, 20th April. 1852.

REPORT OF A COMMITTEE OF THE PUBLIC SCHOOL BOARD ON THE FOREGOING LETTER OF Mr. T. J. O'NEILL, RELATIVE TO THE APPROPRIATION OF FUNDS FOR THE SUPPORT OF ROMAN CATHOLIC SEPARATE SCHOOLS IN TORONTO.

1. That the Roman Catholic Separate Schools, which have hitherto been recognized by the Board, are Number Fourteen, Boys and Girls Schools, in St. Patrick's Market, and Number Eight, a Female school, in Stanley street; and these have been under the direction of two Committees, appointed by the Board, under the compromise made with the Roman Catholic inhabitants, in February, 1851. The amount apportioned last year for their support,—both Sections having been voluntarily deprived of the Schools for a time,—was One hundred and ninety six pounds five shillings, (£196-5-0), but the sum appropriated was equal to two Schools, at an average rate of One hundred and ten pounds, (£110), per annum.

* As this Statement submitted is not material to the case, it is omitted, but is quoted on page 268.

2. With regard to the claims of Separate Schools, established according to law, they are entitled, by the Nineteenth Section of the School Act of 1850, to share in the School Fund, according to the average attendance of pupils (the mean average attendance in Summer and Winter being taken), as compared with the whole average attendance at the Public Schools.

3. This School Fund consists of the Legislative Grant, and a local Assessment of at least an equal amount to it. If the Assessment fall short of the Grant, the amount of the Grant is proportionately reduced; but if the Assessment be greater, the Grant is not increased. These equal sums united, form, according to the interpretation of the School Law by the Chief Superintendent of Education, the Common School Fund named in the Act, and is to be applied solely to the payment of the salaries of qualified Teachers. If any locality chose to levy a School Tax exceeding the sum required to secure the share of the Government Grant, that excess is at the disposal of the Board of Trustees, for general School purposes, and cannot, with any regard for propriety, or justice be applied to the support of Separate Schools, whether Protestant, or Roman Catholic.

4. Your Committee, desirous to meet the claim of the Roman Catholic inhabitants, so far as duty and law require, endeavoured to form a correct judgment as to the relative claims of those who demand Separate Schools, whether Protestant, or Roman Catholic, and the claims of our entire population, for whose welfare the System of Public Instruction has been established. While your Committee admit that the Law makes provision for Separate Schools, to meet an exigency,—namely, the anticipated intrusion of the Religious Dogmas of a majority upon a minority; yet no ground for such complaint exists, or has been urged against the Public Schools of this City,—they having been established upon a broad catholic basis, rendering the demand for Separate Schools utterly indefensible, upon any sound principle of political justice, or morality.

5. It is one of the recognized principals of civilized society, that all shall contribute to establish and sustain Institutions deemed essential by the majority,—provided that the demand does not infringe upon the rights of conscience. Thus, the charges attendant upon every branch of Public Legislation, Jurisprudence, or any branch of social economy, security or defence, are, or should be, borne equitably by all the inhabitants of the Country, because all are partakers of the benefits resulting from the expenditure. No good citizen complains of being taxed to make the Laws of his Country, to guard it against foreign enemies, to secure its internal peace,—to repress and punish crime or to extend the benefits of public economy throughout society. Religious distinctions, in such cases are unknown,—the sectarian is wholly merged in the citizen. We never heard of separate Houses of Legislation being demanded by Protestant, or Roman Catholics,—separate Courts of Justice —separate Houses of Correction, or any other of the numerous arrangements which the peace, safety and well-being of society demand. There is a universal admission of the rectitude and necessity of united co-operation in public affairs and of submission to the burthen imposed to uphold those Civil Institutions which the majority may deem essential to the social existence or welfare of the whole.

6. Among all the instrumentalities employed to secure the moral elevation, and to promote the best interest of society, none appear to be more important than a wise and liberal System of Public Instruction, based upon moral law, but free from sectarianism. To promote intelligence and virtue all admit is better than to punish ignorance and crime; to pay by a public tax for the moral and intellectual improvement of youth, (committing their instruction in dogmatic theology entirely to Parents, Guardians and Religious Teachers), experience has proved to be the best public economy. The system of Free Schools, recently established in this City, rests upon the recognition of an entire equality of rights and privileges among all classes of citizens. The religious convictions of all Denominations have been scrupulously respected, and their rights sedulously guarded by the law under which the Schools of the City have been established. No Protestant Teacher can thrust his Religious Opinions upon Roman Catholic youth, nor can a Roman Catholic Teacher thrust his upon Protestant youth. In this respect, our Educational System differs essentially from that of Lower Canada; there, the Schools of the majority are essentially sectarian; here, on the contrary, they are emphatically unsectarian,—they are secular but moral. When, however, twelve resident householders of different religious faith from that of the Teacher appointed to any School Section, or twelve Coloured persons, apply to a Board of Trustees for a Separate School, it must be granted, although there is no alleged ground for complaint. Still, in such cases, the law evidently guards against such Schools being recognized as upon an equality with the Public Schools generally. It concedes a certain measure of public aid, but regards their existence as an undesirable exception to a great principle, that the State should afford an opportunity to every youth in the land, to enjoy the benefit of a good moral but secular education.

7. Your Committee would further remark that, as Roman Catholics are required, as well as Protestants, according to the assessed value of their property, to contribute their share to the entire local tax levied for School purposes,—not merely that which is required to secure the share of the Legislative Grant, but any excess which the Board of Trustees may determine,

your Committee acknowledge that they should share in the advantages of the whole fund equally with others,—not, however, as Roman Catholics, or Protestants,—not as the professors of any system of Religious Faith,—but as citizens. If either party, members of the body politic, choose to isolate themselves from the rest of their fellow-citizens, on the ground of holding to certain religious opinions; if they refuse to co-operate in arrangements for the general good, which do not at all infringe upon their rights as Religious Communities; and if, thus they voluntarily forefeit the advantages they are invited to enjoy equally with others, the blame rests, not with the Public School Board, but with themselves. Neither the general, nor the local, Governments of the State have any warrant to make laws, or to collect taxes, to build up any system of Religious Faith whatever. Such functions belong exclusively to the lawful authorities of Religious Communities. If Roman Catholics, or Protestants, are to share in the moral and political advantages which arise from the promotion of intelligence and virtue in society, by means of unsectarian Public Schools, they are required, in justice, to pay for such advantages in common with their fellow-citizens generally. If either Protestants, or Roman Catholics, desire to super-add other Schools to indoctrinate their youth with their own peculiar Religious Opinions, common justice and propriety demand that it should be done by their own agencies, and entirely at their own cost. The principle is false which makes any secular Government to become a tax-gatherer for Churches; and it bears unjustly and grievously upon those who conscientiously repudiate the interference of Government in providing for the teaching of sectarian dogmas, or for the support of Religious Communities.

8. Your Committee are fully convinced that justice to society,—to every Religious Persuasion—can never be fully enjoyed but upon the invulnerable ground so highly eulogized by the present Roman Catholic Archbishop of New York,*—namely, that Civil Government has no moral right to legislate upon the subject of Religion. That eminent Ecclesiastic, referring to the rights of conscience in other Countries being so often secured by affirmative laws, thus referring to the superior security afforded in the United States by "a Constitutional Negation of all powers to legislate on so sacred a subject." His words are—"In other Countries they are secured by some positive Statute,—here they are safer, under a constitutional provision, forbidding any such Statute to be ever enacted. In other Countries toleration was granted by the civil authority,—here the great men who framed the Constitution saw, with keen and delicate perception, that the right to tolerate implied the equal right to refuse toleration; and, on behalf of the United States, as a Civil Government, they denied all right to legislate in the premises, one way or the other; "Congress shall make no law on the subject of Religion, or prohibiting the free exercise thereof."

9. The vital principle involved in this interesting quotation from the lecture of the Archbishop is the only rightful and efficient guarantee for the protection of the Rights of Conscience. Let civil rulers cease from legislating upon the subject of Religion and all will be safe. Religion wants no such aid; it will flourish the better without it; and it will live when Governments will die.

10. The School Act of 1850, in the opinion of your Committee, violates this principle, [as it continues the] provision for the establishment of Sectarian Schools, where no reasonable cause exists for their establishment, that is, in cases where no rights are violated, or offence is committed against the religious opinions, or prejudices, of the applicants. The end would have been better attained by a legislative negation of all power to introduce sectarian religious teaching into any of our Public Schools.

11. Accompanying the Communication of Mr. O'Neill submitted to your Committee, dated the Twentieth of April, is a Statement showing that the whole number of Roman Catholic Schools in the city amounts to seven, (equal, as noted in the Statement, to ten,) embracing eleven Teachers, one Assistant, and seven hundred and six pupils. These include the Schools taught by "the Christian Brothers," and "the Loretto Female Schools." The cost of these several Schools, reckoning the same rate of expenditure as is required for the support of other Schools, embracing Teachers' salaries, Rent and Fuel, amounts to One thousand one hundred and fifty pounds, (£1,150). This is presented to the Board, no doubt, as a mere ground for calculation, but affords no proper data for the computation of the amount which the parties may legally claim for the support of the Separate Schools recognized by the Board.

12. In estimating the amount legally due to the Roman Catholic Trustees, assuming the School Fund to be the Government appropriation and an equivalent amount raised by assessment, (which is the evident meaning of the School Act of 1850,); reckoning the total fund at One thousand pounds, (£1,000), and their proportion according to the average attendance, as shown by the official returns, (about 1-14th), the sum would be only Seventy pounds, (£70). But assuming that the School Fund embraced the Government appropriation, and the whole of the local Assessments for school purposes, (which your Committee do not allow,) the sum ap-

*Archbishop John Hughes. See also the opinion of Archbishop Ireland of Minnesota, quoted on pages 182 and 276 of this Volume.

portioned to the Roman Catholic Separate Schools, under the compromise of last year, exceeded not only the amount to which they were legally entitled, but the whole amount of the School tax, paid by the Roman Catholic inhabitants of the City.

13. From a recent Return submitted to this Board by its Secretary, after much tedious investigation, the following facts, gathered from authentic Statistical Documents, exhibit that the Roman Catholic inhabitants of the city, while reckoned at upwards of one-fourth of the population, contribute only about one-twelfth of the taxation. From the Return referred to, your Committee find that the total annual value of the taxable property in the City amounts to One hundred and eighty-six thousand, nine hundred and eighty-three pounds, five shillings, (£186,983 5s.),—of this the proportion held by Roman Catholics is Fifteen thousand, seven hundred and fifty thousand pounds, ten shillings, (£ 5,750.10.0). The total net amount of School Tax for last year, at two and a half pence currency in the pound was Eighteen hundred pounds, (£1.800); the net proportion contributed by the Roman Catholic inhabitants was One hundred and fifty pounds ten shillings, ($150.10.0). Were the sum thus contributed by the Roman Catholic inhabitants to be placed at the disposal of the Committee now superintending their Separate Schools,—together with their legal share of the Legislative Grant—the sum would fall short of Two hundred pounds, (£200). Last year the amount was rated by compromise at Two hundred and twenty pounds, (£220).

14. While your Committee cannot too strongly repudiate the principle recognized by the present School Act of 1850, of [continuing] a legislative sanction to Separate Schools, without any just cause for their existence, (as in Lower Canada,) they would seek most earnestly, but by other and better means, to guard the rights of every class in the community. Your Committee fear that, to continue to carry out the principle that the State should provide means to inculcate sectarian Religious Dogmas in our Public Schools, will result, not only in the various Boards of Trustees being required, according to the plainest principles of political justice, to meet the demand of other Religious Bodies for the establishment of Denominational Schools, but perhaps, even in the entire destruction of our Educational System.

15. Your Committee, having reason to believe that some Members of the Board regard the compromise of last year, relative to the Separate Schools, as having extended morally into this; and having given their views upon the case at some length, while they cannot recommend an appropriation beyond that which the law evidently allows, deem it to be their duty to commit the adjudication of the amount to the whole Board.

Toronto, May, 1852.

James Lesslie, Chairman.
William McMaster.
David Patterson.
William Shepperd.
William Hall.

Letter to the Chief Superintendent of Education from the Public School Board.

Note. The Report having been adopted by the Public School Board, its Chairman, Mr. Joshua G. Beard, was directed to request the Chief Superintendent of Education to obtain the legal Opinion of the Law Officers of the Crown as to the meaning of the words "School Fund," in the Fortieth Section of the Common School Act of 1850.* Mr. Beard therefore addressed the following letter to the Chief Superintendent:—

I have been instructed by the Board of School Trustees for this City to obtain, through you, the opinion of Her Majesty's Attorney General, with regard to the correct legal construction of what constitutes the "School Fund", as mentioned in the School Act of 1850,—especially with reference to Separate Schools.

2. The interpretation put upon it by the Board is, that the School Fund, as applicable to the demands of parties requiring Separate Schools consists of the Legislative School Grant and a local Assessment, at least equal in amount to the Legislative School Grant,—these equal sums united, forming the aggregate "School Fund" described in the Act, as applicable solely to the payment of qualified Teachers.

3. The Roman Catholics, who are desirous to have Separate Schools established for their benefit, entertain a different view, and claim to have the right of sharing in all the school money raised by assessment in the City. Thus virtually taxing the whole community to maintain Separate and exclusively Denominational Schools.

*The Fortieth Section of the School Act of 1850 states: "That the sum of money apportioned annually by the Chief Superintendent of Education to each County . . . and at least, an equal sum raised annually by local assessment, shal constitute the Common School Fund of such County' . . .

4. In order that the Attorney General may have the opportunity of thoroughly informing himself as regards the views entertained by the Trustees I enclose herewith copy of a Report recently adopted by the Board ; (on an application to it from the Separate School Trustees), and, as the question involves a principle of very great public importance, and the action of the Board, in the matter of Separate Schools will have to be determined by the Attorney General's opinion regarding the law of the question, it is to be hoped that the Legal Adviser of the Crown will give a conclusive opinion thereon, so as to determine for the guidance of the Board what is the true intent and meaning of the clauses of the School Act of 1850, establishing Separate Schools, and to what extent, such Separate Schools can claim as their legal share of the School Fund.

TORONTO, June 2nd, 1852. JOSHUA G. BEARD, Chairman,

REPLY TO THE FOREGOING LETTER BY THE CHIEF SUPERINTENDENT OF EDUCATION.

I have the honour to acknowledge the receipt of your Letter of the 2nd ultimo, requesting me to apply to the Attorney General for his Opinion on the subject of difference respecting the import of the term "Common School Fund" in the School Act of 1850, between the Board of School Trustees for the City of Toronto and the Trustees of one of the Roman Catholic Separate Schools in the City of Toronto. I have brought the legal question involved under the notice of the Honourable the Attorney General ; and I have to state, for the information of the Board over which you preside, that the Attorney General does not consider it compatible with his official duties to give an opinion on such a question, under the circumstances.

2. The Attorney General would feel it his duty, when officially called upon, to give his opinion and advice to the Heads of Public Departments for their guidance in doubtful legal questions ; but he considers it an udue interference with the administration of the law and the duties of the Courts of Justice, to give an Official Opinion on a matter which we may be brought by the parties concerned before the legal Tribunals of the Country, and respecting which his Opinion would not have the authority of a legal decision in settling the question of law at issue betwen the Board of School Trustees for the City of Toronto and the Trustees of the Separate School referred to.

TORONTO, July 7th, 1852. EGERTON RYERSON.

II. CHURCH OF ENGLAND SEPARATE SCHOOLS, 1852.

The following is a copy of a Petition, addressed to the Legislature of the Province of Canada by Doctor Strachan, Church of England Bishop of Toronto, in September, 1852 :

To the Honourable the Legislative Assembly of the Province of Canada,—

THE MEMORIAL OF JOHN, BY DIVINE PERMISSION, BISHOP OF TORONTO, IN BEHALF OF HIMSELF AND PEOPLE, RESPECTFULLY SHEWETH,—

1. That, on the First and Second of May, 1851, the Clergy of the United Church of England and Ireland of the Diocese Toronto and Delegates of the Laity within the same, being assembled in Conference in the City of Toronto, to take into consideration the state of their ecclesiastic affairs, and express their opinions thereon, among other things, it was,—

Resolved, "That this Meeting desire to express its sense of the paramount duty of connecting Religion with Secular Education, and, in order to carry out this obligation, they deem it to be necessary to petition the Colonial Legislature to permit the establishment of Separate Church [of England] Schools, and that the assessments paid by Churchmen for the support of Common Schools be applied to the maintenance of such as are in connection with Church, whenever such appropriation is practicable and desired."

2. That this Resolution was passed unanimously ; upwards of one hundred and twenty Clergymen, and a like number of the most respectable Lay Delegates, being present, and representing, as it appears from the last Census, a population of Two hundred and twenty three thousand nine hundred and twenty eight. (223,928) persons.

3. That, in consequence of this Resolution, a Petition was presented to your Honourable House, (a copy of which is hereunto annexed), during our last Session,* but without any

*This Petition was presented to the House of Assembly on the 30th of September, 1852. See page 103 of this Volume.

favourable result, although a concession was made in favour of our fellow-subjects, the Roman Catholics,—with whom we have surely an equal right,—and which, there is reason to believe, will be rendered more complete during the present Session.* (See page 134 of this Volume.)

4. That the Members of the United Church of England and Ireland are as anxious to have Separate Schools for the education of their children, as their brethren, the Roman Catholics, because they cannot recognize any system for such a purpose, which does not make Christianity the basis, and in which careful moral and Religious Training does not form the most prominent, as it is the most essential, portion.

5. That, with those who separate Religion from Education, we have no common ground of controversy ; it is against darkness ; nor can we have any sympathy with those who speak in their profound ignorance of the non-essentials of religion, because there is nothing unessential either in the doctrines, or precepts, of the Gospel, nor ought any of them to be kept back in the instruction of our children.

6. That the School Act of 1850 virtually excludes Religious Instruction from the Common Schools, and affords no opportunity (under its operation) to the Parents of our Communion to bring up their children in the doctrines and duties of their faith.

7. That, in the system which it establishes, there is no direct reference to man as an immortal, accountable, guilty and redeemed being ; but all is secular, and noxious, because unsanctified ; hence it is silently, but effectually, undermining every sacred and moral principle ; and while thus promoting infidelity and socialism through the Province, it is sending forth thousands every year into the ocean of life with no compass to guide and direct them ; it is a scheme in which the Bible is disregarded, and the chief purpose of God, the salvation of mankind, is altogether ignored. (See reference to the Bible being read in the Schools on page 289.)

8. That, even the Regulations of the Council of Public Instruction, which the friends of the School Act pretend to be so admirably calculated to satify the conscientious scruples of the religious, is a miserable snare and mockery. It ordains,—†

"That the public religious exercises of each School shall be a matter of mutual voluntary arrangement between the Trustees and Teachers ; and it shall be a matter of mutual voluntary arrangement between the Teacher and the Parent, or Guardian, of the pupil, as to whether he shall hear such pupil recite from the Scripture, or Catechism, or other summary of Religious Doctrine and duty, of the Persuasion of such Parent, or Guardian ; such recitations, however, are not to interfere with the regular exercises of the School."

Now, this seeming reproach to Religious Instruction is most offensive and derisive. It appears to be drawn up by persons who are ashamed of Religion. First, the Trustees and Schoolmaster must agree ; then the Parents and Teacher must arrange—and, at the option of the Trustees, or Teacher. If so inclined, a verse of Scripture, or question of a Catechism, may be asked, provided, nevertheless, the business of the School does not interfere.

9. Under the mockery of such a Regulation, there is no guarantee that so much as the Lord's Prayer is ever heard in any one School, or the Holy Bible ever reverently introduced, or the children taught not to take God's Holy Name in vain ; nor have we any assurance that, either Trustees, or Teachers, are God-fearing men, or have any regard for holy things. Hence, whatever may be asserted by the promoters of the School System, it is evident that it contains no available provision for Religious Instruction ; nor can it be effectually introduced without [Church of England Separate Schools.] as in England.

10. To prove the great injustice of the Common School System, your Memorialist need only represent to your Honourable House one simple fact, which is,—that, although the Members of the United Church of England and Ireland in Toronto are upwards of eleven thousand, out of Thirty thousand, the whole population of the City, and pay more than one-third of the educational rates, perhaps one half, consisting, I believe, of some thousand pounds annually, they have not the power of establishing, out of all they pay, one single School. Hence, they are being compelled to establish Parochial Schools for each of their Congregations, by private contribution, to protect their children from the growing evils of the present irreligious plan of education, in which nothing is attempted to be taught but worldly knowledge ; while that knowledge to which all others should be subservient, is entirely neglected.

11. In conclusion, your Memorialist would most respectfully represent, for himself and his people, that they feel the established System of Common School Education oppressive ; and that, in operation, it is enchaining the mind, and outraging the conscience ; and ought no longer to be tolerated in a Colony of British subjects ; that they have an undoubted right to be

*The reference made here by Doctor Strachan is to the Act of 1851 : "To Define and Restore certain Rights" to Roman Catholics, and to the then proposed enactments relating to Roman Catholic Separate Schools in the Supplementary School Act of 1853. See page 250 of the Ninth Volume of this Documentary History.

†The Regulations of the Council of Public In truction, thus characterized by Doctor Strachan, will be found on pages 197, 198 of the same Ninth Volume.

placed on an equal footing with their Roman Catholic brethren, by such a modification of the existing School Law as shall enable them to have Separate Schools, and the control of the education of the children that God has given them,—a control which is recognized even in the most despotic Governments,—and which their brethren enjoy, to the utmost extent, in their Fatherland. In the hope that so reasonable a boom will be granted, Your Petitioner as in duty bound will ever pray.

TORONTO, September, 1852. JOHN TORONTO.

RESOLUTIONS AND PETITION IN FAVOUR OF ROMAN CATHOLIC SEPARATE SCHOOLS, 1852

A General Meeting of the Roman Catholics of Toronto, convened at the request of the Catholic Institute, by notice in St. Michael's Cathedral on Sunday last, was held in the School House, Stanley Street, on the evening of Monday, the Seventeenth of May 1852. The Venerable Archdeacon Moloney was requested to preside, and, after some appropriate speeches by the movers and seconders of the following Resolutions, they were put to the Meeting and carried unanimously :—

1. *Resolved.*—That, as Catholics, we cannot, sanction any System of Common School Education for the youth of our Community, but one which will, at all times, secure the full meed of Religious Instruction under the legitimate Ecclesiastical Authority of our Church.

2. *Resolved.*—Whereas, on close examination of the various clauses of the present Common School Acts of 1850 and Remedial Act of 1851 it is the opinion of the Catholic Body, that they have the right to elect their own Trustees ; and that their own Trustees can appoint their own Teachers ; and also that Catholics are entitled to participate in the Common School Fund, in proportion to the number of their children attending school, as compared with the total number of children attending Public Schools in the City ; and that said School Fund consists of all the money raised by taxation, as well as that granted by the Government for the payment of Teachers.* Therefore, this Meeting is desirous of conferring with the Board of Common School Trustees for the purpose of explaining the views of Catholics, on these points, and for obtaining a more equitable division of the School Fund. Be it, therefore,—

Resolved, that a Committee of three be appointed to co-operate with the Gentlmen at present representing Catholic interest, in regard to Common Schools, with power to use all necessary means which they may deem expedient for the purposes above stated.

(NOTE. On pages 266-269 the result of the reference of claims of the Trustees of the Roman Catholic Separate Schools to the Board of Common School Trustees of the City of Toronto is given, in the form of a Report of a Committee of that Board, as concurred on by the Board itself).

THE PETITION OF THE CATHOLIC INSTITUTE OF ST. ROCH'S QUEBEC.

To the Legislative Assembly of Canada, this Petition :

Humbly Sheweth,—That that manner in which the various persons charged, in Upper Canada, with the execution of the provisions of the Common School Act of 1850 : Thirteenth and Fourteenth Victoria, Chapter Forty-eight, construe and carry into operation the Nineteenth Section of that Act, is contrary to the rights, and to the interests of the Catholic population of Upper Canada.

2. That Your Petitioners perceive with regret, that these parties thus deprive the Catholics of Upper Canada, of the rights and privileges which it undoubtedly was the intention of the Legislature, in passing that Act, to allow them to enjoy.

3. That Your Petitioners being Members of the same Church, think it their duty, although they do not reside in the same section of the Province, to second the prayers of the Petitions already presented to the Legislative Assembly, by their brethren of the same Communion in Upper Canada, on the subject of Separate Schools.

4. Wherefore, Your Petitioners beg leave to approach Your Honourable House, and pray in the name of the Catholics of Upper Canada, that a law be passed, clearly and explicitly defining the rights and privileges of Separate Schools, in such a manner as to place their interests beyond the influence of the parties hostile to them. And you will thus do justice.†

QUEBEC, October, 11th, 1852. P. F. TURGEON, Archbishop of Quebec.

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* This was the question at issue. The Fortieth Section of the Common School Act of 1850 defined the words : "School Fund" to mean the Legislative School Grant and the equivalent to it, raised by local assessment. The Separate School Trustees held that the "School Fund" also included all assessments for School purposes over and above the "equivalent to the School Grant" which were raised by general taxation.

†These Petitioners evidently were not aware that in the year after the passage of the General Common School Act o 1850, —to the Nineteenth Section of which they refer— a Remedial Roman Catholic Separate School Act was passed, intituled : "An Act to Define and Restore Certain Rights to Parties therein mentioned." A copy of this Act is printed on page 250 of the Ninth Volume of this Documentary History.

Authority to Establish Denominational Schools in Cities and Towns.

So continously had the claims of the Churches of England and Rome in Upper Canada, to establish Separate Schools that a general provision was embodied in the Common School Act of 1850 to authorize the Boards of Common School Trustees in Cities and Towns, to establish if they saw fit to do so, any "description of Schools" in such City, or Town.* In replying to an Editorial in the *Canadian Churchman* on the subject of Separate Schools, in February, 1852, Doctor Ryerson said:—

During several months, you have from time to time attacked the Common School System of Upper Canada . . . on the subject of Religious Instruction and Separate Schools, in connection with that System . . . Although you, and a few of the Clergy of your Church have written against our Public School System, many of the Clergy of that Church and the general body of its Laity are as active and patriotic promoters of it as there are in Upper Canada ; . . . If the school-tax-paying electors please, Denominational Schools, and no others, may, according to law, be established in every City and Town in Upper Canada. The Fourth clause of the Twenty-fourth Section of the School Act of 1850† gives the Board of School Trustees, in each of those Municipalities intimated, power "To determine the number, sites, kind and description of Schools which shall be established in each such City or Town." If, therefore, the Board of School Trustees in the City of Toronto chose to establish Church of England, Presbyterian, Methodist, Baptist and other Denominational Schools, they can do so, as I stated in the Appendix to my Annual School Report for 1850, (under the heading of Powers and Responsibilities of School Trustees")‡ The question is not, therefore, . . . whether there may, or may not, be Denominational Schools in each City, or Town, in Upper Canada, but whether the Municipalities themselves shall judge and decide this matter, or whether they shall be compelled to do as you demand, at the expense of those many Municipal rights . . . guaranteed to them by successive Acts of Parliament.

Toronto, October 21st, 1852. Egerton Ryerson.

CHAPTER XXIII.

FREE SCHOOL AGITATION-CRUSADE IN TORONTO, 1852.

The unusual action of the City Council in closing the Toronto City Schools in 1848,* on account of the then moderate taxation, which their continual maintenance would involve, was the first active and practical protest against Free Schools in that City.

This very pronounced proceeding on the part of the City Council was the first hostile movement in the direction of what afterwards culminated in the form of an organized Crusade against Free Schools, and against any form of taxation for their support. This combined proceeding, on the part of the active and passive opponents of Free Schools, naturally called forth the energetic efforts of those who felt that, if schools were necessary at all, they should be made efficient, and their surroundings should be such as to contribute to make them so.

*Those in Upper Canada who were strongly opposed to the establishment of Roman Catholic and Church of England Separate Schools held that, in all fairness to the other Christian Denominations in the Country, they too should have facilities, given to them to establish such Schools for themselves, should they see fit to demand them, equally with the other two Churches named. Hence, to meet so reasonable a request, and to provide prospectively for the establishment of such Schools, the provision, (here referred to by Doctor Ryerson), was inserted in the Common School Act of 1850, with a view to practically test public opinion on the subject. As a matter of fact, no single Denomination, beyond the two named, made any movement in favour of such Separate Schools for themselves, but remained through all the Separate School agitations firmly attached supporters of the Common School System of Upper Canada, and opponents of the principle of Separate Schools.

†Printed on Page 40 of the Ninth Volume of this Documentary History.

‡This Appendix is printed on pages 176-179 of the same Ninth Volume of this Documentary History.

The result of this conflict of opinion was that discussions in 1849-1851 were warm and frequent, both in the Public Press and between individuals. The agitation on the subject of Separate Schools added greatly to the general feeling of unrest at the time on the subject of popular education.

So many conflicting interests were involved in these desultory discussions, and so many different adverse views were held by the parties concerned, that, at length, it was resolved to hold a General Public Meeting,—to be called, on requisition, by the Mayor,—so that all parties would have an opportunity to fully express their views, and thus obtain an authoritative opinion from the Ratepayers on the subject. A number of these most active in opposing "Free Schools, and Taxation" for their support, signed the following Requisition and sent it to the Mayor:—

The undersigned Inhabitants of the City of Toronto, opposed to the present heavy Tax for the support of Common Schools, and the prospect of a permanent and increasing City Debt for the purchase of Land and the erection of School Houses thereon, in the several Wards, as at present contemplated by the Board of Trustees, request that you will call a Public Meeting of the Citizens in order to get an expression of public opinion on the subject.

Signed by Messieurs Angus Dallas, George Bilton, C. B. Green, S. F. Urquhart, Alexander Dixon, and ninety others.

In compliance with the above requisition, I hereby convene a Public Meeting of the Inhabitant Rate payers of the City of Toronto, to be held on Friday evening next, the Ninth instant, at Seven o'clock, in the St. Lawrence Hall.

TORONTO, January 6th, 1852. JOHN G. BOWES, Mayor.

In accordance with the Terms of this Requisition, His Worship the Mayor, called a Public Meeting for the purpose of obtaining an expression of public opinion on the question of taxation for the support of Free Schools. The Meeting was held at St. Lawrence Hall, with the Mayor in the Chair.*

Mr. Angus Dallas, Merchant, King Street, as one of the Requisitionists objected to the present system of Common School Education on principle, as it was inefficient for good, and tended only to lay a heavy burden of taxation on one class of the community, whose children could not attend the Common Schools for the benefit of another class of the community, who paid scarcely any share of the tax. After further speaking, he moved the following Resolution:—

"That the principle of what is called the Free School System, and presumed to be, 'the taxation of the property of all for the education of all," is proved, by the experience of the past year, to be erroneous, inasmuch as, while all have had to pay for its maintenance, few children, except those of the poorer class, have attended the Schools. That, besides this practical falsification of the principle on which the Free School System is professed to be based, it is also attended with this injustice, that it presses heaviest on those who do not send their children to the Common Schools, and who consequently derive no advantage from them; while the class of persons availing itself of these Schools is almost exempted from its operations."

Alderman Samuel Thompson seconded the Resolution. In doing so, he wished it to be understood, that he was not at all desirous of interfering with the fair working of the Free School System, but he came there at the request of a number of his constituents, who were dissatisfied that they were compelled to pay taxes, nominally for the education of their children, but not so in reality, as their children were virtually driven from the Schools.

Doctor Joseph Workman stood before the Meeting as the organ of the Board of School Trustees, in answer to a Bill of Indictment, prepared by Mr. George Bilton and several other Ratepayers. This Bill of Indictment charged the Board with the high offence against the political economy of the City, of proposing to purchase Building Sites and erecting School Houses. Doctor Workman said that Mr. Dallas had endeavoured to account in various ways for the difficulty experienced in Massachusetts, in carrying out the Free School System, but the fact was, that the difficulty in Toronto arose simply from the tax of two-and-a-half pence in the pound being now for the first time imposed on the inhabitants. He quoted from the Report

* The Meeting was addressed by a number of Speakers, but with one exception—that of Doctor Ryerson—I have only given in a few words, the gist of what each Speaker said.

of the Secretary of the State Board of Education of Massachusetts to confute the statement that Free Schools were a failure after a trial of two hundred years. When the School Trustees were appointed a year ago, the first conviction that forced itself on their minds was, that the existing Schools were wholly unfitted, in point of accommodation, for the purpose to which they were applied. They were bad and defective in a moral and scholastic point of view. The Board endeavoured to remedy the evil ; they saw that, in some instances, thirty per cent. of the children were absent from the Schools, in consequence of diseases arising from bad and unhealthy accommodation ; they saw that, if better accommodation could not be procured, it would be better to close the Schools up ;* and having ascertained that it was impossible to procure that accommodation in the City, they came to the decision that it would be necessary to avail themselves of the ample powers which the School Law had placed at their disposal. In this they desired the co-operation of the City Council, and tried to enlist its sympathy. Alderman Thompson was the only Member of that Body, with the exception of those who were also Members of the Trustee School Board, who appeared to take any interest in the subject ; Mr. Thompson had already made his calculations, and he suggested that they should purchase Sites, erect School Houses, and showed that the interest on Debentures issued in payment would only amount to the sum already paid for annual rent. Fortunately, the City Council and the Upper Canada College had acted with very great liberality ; the former had built St. Andrew's Market, and having rented the upper floor to the Board, which had thus been enabled to get two excellent School-rooms, each capable of seating one hundred and fifty children. The Upper Canada College had also placed at their disposal on very liberal terms, a Building well adapted for the purpose of a School. The object of the persons who signed that Requisition was to defeat this plan of improvement. These people forget that their sons had been educated at Upper Canada College and at the University at the expense to the public ; and that the two-and-a-half pence in the pound they were now called on to contribute, as a School Rate, was only a small instalment of what they themselves had received. He remembered seeing a calculation made by one of those Gentlemen, Mr. Urquhart, that, at the time the son of another Requisitionist, Mr. Alexander Dixon, was receiving his education at the University, every Student of that Institution actually cost the Province (in the form of the expenses of the University,) Three hundred pounds, (£300), a year, and he believed that that calculation was very near the mark.

The Reverend Egerton Ryerson then addressed the Meeting. He said that he appeared there as a Rate-payer, who was compelled to pay his portion of the tax ; but, at the request of the School Trustees,—for the purpose of giving some explanations on the subject of Common School Education. He argued that the extracts read by Mr. Dallas had as much reference to the people in the Moon as to the subject really before the Meeting. Those extracts had reference solely to the state of education in the rural districts of Massachusetts and not in the Towns.—They, in reality, ascribed the defect in the School Sytsem of Massachusetts to the appointment of Teachers by incompetent Committees, and he alleged, that that evil had been corrected in the Canadian System of Common School Education, the standard of education, and also that of the Teachers, throughout the Province being fixed by a highly qualified Provincial Board, and the standard of education in the Counties being also fixed by a local Body of high standing. In fact, when he was at Boston a few weeks since, he was told by the Secretary of the State Board of Education that, after a careful examination of the Canadian School System, he had arrived at the conclusion, that it embodied the excellent features of the School Systems of different States. The operation of that School System in Massachusetts was not what it had been represented by Mr. Dallas, and he would give an instance : When at Boston, he visited the Free Schools in company with the Mayor, and in one, the High School, that Gentleman pointed out to him, a particular seat, occupied by two boys,—one was the son of the Honourable Abbott Lawrence. Minister to the Court of St. James,—the other, the cleverest boy in Boston, was the son of the Door-keeper of the City Hall. Both engaged in the same race, and enjoying the same advantages. Mr. Dallas might, therefore, say that the Free Schools of Massachusetts were in reality " Common Schools " and where not attended by merely one class of the community. Another proof was, that the Governor of Massachusetts declared lately in a Speech delivered at Newburyport, that if he had as many sons as old Priam, he would send every one to the "Common Schools," and thence to the University. Of course there were rich men, and purse proud men in Boston who would not do so, and these were the people who injured the Schools.

Alderman Thompson had stated that the system pursued in Brantford and London was better calculated to attain the object which they all desired, but the fact was that in those places the Free School System was fully carried out, whereas the Resolution which he had seconded was condemnatory of them. That the Free School System had worked well in Cities about the same size as Toronto could be adduced from the example of Hallowell and of Bangor, in the State of Maine, and Lowell in the State of Massachusetts. At those places that System had

*Such was a true and striking picture of the miserable condition of tho Toronto City Schools—as I well remember—in the early Fifties.

formerly received a dangerous opposition from a certain portion of the community, but now it was firmly established, and they had Primary-schools, Grammar-schools, and High-schools,—three distinct classifications, but all maintained by a moderate tax on the community. If the Free School System was to work well anywhere, a similar course must be adopted,—the rich must be taught to respect the Schools as well as the poor, but; unfortunately, those who had rendered the Common Schools despicable, by degrading them, come forward here in opposition to their advancement In Massachusetts, every effort of that kind had fortunately failed;—all classes and all circles were educated in them alike.

Some years ago a number of the European Roman Catholic Clergy, conceiving, that the mode of education in these Schools was injurious to the interests of their Religion, waited on their Bishop with a representation to that effect, for the purpose of obtaining his assistance to oppose them. He refused however; he said that "he knew what the Free Schools of Boston were; for he was proud to own that to the Free Schools of Boston he owed his education, and his position in the Church and in the world, and he would never lend his assistance to pull down what had built him up."* But he, (Doctor Ryerson), would ask the opponents of these Free Schools, if they had proved so inefficient after a trial of two hundred years, would not the New Englanders, who know the value of money, as well as the value of education, abolish them? They, on the contrary, were so convinced of their benefit, that it would be as easy to drive them from the soil, as to effect there abolition. To be sure, there was objectionable points about their School System, as there were about the System pursued in Toronto, but it was on that very ground that efforts should be made to perfect that System as much as possible. So little, however, had that been attended to in Toronto, that although it possessed more Educational Institutions of different kinds than all the rest of the Province, it did not possess a single Common School! Was it to be wondered at, if there were opposition, or if it did not meet that sympathy which was to be desired? Fortunately all did not oppose it, even among the most wealthy, for the Bill, prepared in accordance with his (Doctor Ryerson's) views, had been introduced into the Legislature by the Honourable John Hillyard Cameron about five years since.† Still the fact remained, that, although numerous large and expensive Educational Institutions existed in this City, the first attempt to erect a Common School was seized upon as a pretext for holding this "indignation meeting," on the subject, and an objection was raised to the principle enunciated by the School Board,—that the whole community should be taxed for the benefit of the whole community.

It was a principle that was recognized and acted on in other Countries; in Prussia, for instance, that every Parent was compelled to send his child, between the ages of six and fourteen to school; in Switzerland every child is sent to school till he is properly qualified for the trade for which he is intended, not merely by the acquirement of the ordinary rudiments of education, but by obtaining a knowledge of the principles of Chemistry and Mechanics necessary to enable him to carry on his business, as Shoemaker, Tanner, or in any species of handicraft. In those Countries, where the value of education was understood, it was looked on as the best safeguard of the people, and as the best means of enchancing the value of property. That was the general, universal, effect. Here, the old system had been tried for twenty years, and the Schools were declared by the School Board to be nests of pestilence,—places that it was absolutely dangerous to enter.‡ What he asked, and what the Board asked was, that they should now obtain a trial of a new system, which had worked well elsewhere, and which was expected to produce equal advantages here. Of course, they must expect to meet with opposition, and the opposition that he had seen reminded him of a saying of Cobbett on the proposal in the English Legislature to reduce the working time of Factory children to ten hours a day; after listening to the debate in silence, he rose, near its conclusion, and alluding to the opposition said—"I have listened with great attention to the arguments on that side of the House, and they amount to this,—Mammon against mercy." That was exactly the case in the present instance. He was glad to hear the sentiments of Alderman Thompson, who did not want to abolish the School System of Toronto; but urged merely that the proposed School Houses were not large enough, and advised the construction of fewer and larger buildings, as a better means of carrying out the object, and at the same time as a saving of money.‖ A great deal might be said on both sides, and he (Doctor Ryerson) was not prepared to say which would be the best system to adopt; but he had no hesitation on one point,—that the Metropolitan City of Canada West should have at least one decent School House!

The Reverend Doctor Robert Burns rose to move the following amendment:—

"That, as sound and thorough Elementary Education is the birthright of every citizen, and enlightened patriotism demands that it ought to be in the largest sense of the term "uni-

*Equally outspoken and hearty in his commendation of the "State School" was Archbishop Ireland, in 1890, as quoted on page 182 and page 268 of this Volume.

†See pages 2 and 26-28 of the Seventh Volume of this Documentary History.

‡See page 274 of this Chapter.

versal," therefore, this Meeting approves of the system of Free Public Schools, subject to such wholesome Regulations as the School Trustees may see meet to adopt."

The Reverend gentlemen supported the motion at considerable length, remarking on one or two points not touched on by previous Speakers,—the benefit derivable from the system of periodical examinations, which he conceived to be an inestimable benefit; the improvement in salaries paid to Teachers, inducing many to enter now on a course of instruction fitting them for the office, who would not do so under the old system, when they were scarcely better paid than an ordinary Mechanic.

The Reverend John Jennings supported the motion in a short speech, urging the baneful effects experienced by Masters and Scholars from the insufficient and bad accommodation hitherto provided in the Schools; and that those who were acquainted with the working of Free Schools were so convinced of their benefit, that even the School Masters in Toronto advocated their establishment, although it had inflicted on them a pecuniary loss.

Doctor Russell stated that he was one of those who had signed the requistion, but so far from disapproving of the Common School System, he was one of its strongest advocates. His object was merely to obtain a fair discussion of a great principle in open meeting.

The Honourable Henry John Boulton at some length professed his adhesion to the principle of Common School Education, and also to the principle of making the whole community pay for it. In allusion to the fact mentioned, that the son of the Honourable Abbott Lawrence occupied the same seat with the son of a Door-keeper, he said he was proud to know that it was not merely in democracies that men of humble birth rose to eminence.

Mr. A. A. Riddel was formerly averse to Free Schools and he sincerely thanked Alderman Thompson who had converted him. There had been a great cry raised against building a School Houses, but no one had told of their cost. If a School Site in each of the six Wards of the City were purchased at Four hundred poumds, (£400), each—the price at which the Board had already purchased three—it would amount to Two thousand, four hundred pounds, (£2,400.) To erect School Premises to accommodate more than double the present number of scholars, would cost Eight hundred pounds more, or One thousand, two hundred pounds, (£1,200), for each Ward; making in the whole Seven thousand, two hundred pounds, (£7,200). Now, if the City property never increased in value, it would take a tax of only one penny in the pound for eight years to pay for them all, and they would be the property of the citizens for ever.

After a few observations from Mr. Thompson, in support of his argument, the Mayor put the amendment to the meeting, when a very considerable majority of those present voted in its favour.

Free Schools are increasing in Upper Canada in 1852.

Note. In the current Volume of the *Journal of Education for Upper Canada*, page 28, it was stated that the question of Free Schools has continued to excite the greatest possible interest since the recent January School Elections. In Toronto, Niagara, Brockville, Port Hope, Chatham, Chippewa, Perth, St. Thomas, and other places the discussion has been most animated. In some of these places the benefits of Free Education, supported by a General Rate upon property has been withheld; in other places the majority of the school electors, rich and poor, have nobly resolved unitedly to sustain, according to their means, the greatest, the most humane and the most efficient system of police ever instituted by any people. Would that the spirit of the Early Pilgrims of New England were more widely diffused among the Early Settlers of Canada, not only in their affectionate solicitude to contribute "a peck of corn" and their "rent of a ferry" for the support of Harvard College, but in the correct appreciation of the true standard of excellence to which each School should be elevated! We warn the friends of Free Schools that the most effective argument which the opponents to the cause will urge against them will be that, while the cost of education has been increased and diffussed, the character of the School Houses and the efficiency of the Schools and Teachers have not been improved, or promoted, in a corresponding degree,—that the results of the Free School System, as compared with the Old School System have not equalled the expectations raised.—It may be stated that the System of Free Schools is attracting some attention in Prince Edward's Island through the press, and Upper Canada is referred to as an authority on the Subject. E. R.

CHAPTER XXIV.

CEREMONY OF OPENING THE NORMAL SCHOOL BUILDINGS, 1852

The ceremony of publicly opening the new Normal and Model Schools for Upper Canada, took place on the Twenty fourth of November 1852, and was witnessed with the greatest interest. The beautiful and ample Theatre of the Institution was filled by a large assemblage. The admission was by Ticket, to prevent confusion. During the day of opening the Buildings were visited by hundreds of persons, from the lively interest they took in seeing the handsome structure and its spacious Lecture Rooms and the new Offices of the Education Department. The following account of the Opening of the Building is taken from the *Journal of Education* for December, 1852.

In connection with a detailed account of the proceedings at the opening of the Institution, I may state that the Perspective Views of the Buildings themselves will be found on pages 13 and 15 of the present Volume. They have been erected on the most approved plans, prepared by the late Mr. F. W. Cumberland, the distinguished Architect of St. James' Cathedral and of the Toronto University. The entire cost, including the purchase of the Site of Seven and a half acres of Land, in the heart of the city, of Toronto, was not much less than Twenty two thousand pounds, (£22,000 = $88,000). (See pages 1-16 of this Volume.)

The following is a brief description of the Buildings: The Front is of Palladian character, having for its centre four pilasters of the full height of the Building, with pediment surrounded, when erected, by an open Doric Cupola, Ninety-five feet in height. The Offices of the Department are on the ground floor of the main structure. The Theatre, or Examination Hall, is on the ground floor of this Building, and is lighted from the roof and sides.

The Boys and Girls' Model School Buildings are in the rear of the main structure, and may be reached by a Corridor from the Theatre. There is also an entrance from the East for Boys, and from the West for Girls.

The Chair, on the occasion of the Ceremony of Opening, was filled by the Honourable Samuel Bealy Harrison, County Judge and Chairman of the Council of Public Instruction. On the platform were the Honourable the Chief Justice of Upper Canada; the Honourable Inspector General Hincks; the Reverend Doctor McCaul, President of the University of Toronto; the Reverend Doctor Ryerson, Chief Superintendent of Education, and others.*

The Honourable Mr. Harrison, said it had fallen to his duty, as Chairman of the Council of Public Instruction, to preside at this Meeting, and the Council were exceedingly gratified with so large as assemblage on the occasion of the inauguration of these Buildings, which have been fitted up for the purposes of promoting Common School Education in the Province. In the order of proceeding, the first thing to be done on this occasion was to offer up to God a short and appropriate Prayer.

The Reverend Henry James Grasett, a Member of the Council, who was to have taken part in the proceedings, by offering up Prayer, but having been called away to Hamilton, he had, with the concurrence of the Council, appointed the Reverend Adam Lillie to take his place.

The Reverend Mr. Lillie having offered up a very appropriate Prayer, the Chairman called upon the Honourable John Beverley Robinson, Chief Justice of Upper Canada, to address the Meeting. He, said, Mr. Chairman,—It is an event of no ordinary interest that we are met to celebrate. It is now publicly announced that the Building, which the Province has erected for the accommodation of the Normal and Model Schools and Education Offices is completed; and has been taken possession of by the Officers of the Department. The Ceremony, by which it has been thought proper to mark the occasion, occurs at a moment when my time and thoughts are unavoidably so engrossed by the judicial duties in which I am daily engaged, that I have found it difficult to

* I have condensed, as far as possible, the various Speeches delivered on this occasion, omitting all that was purely local in its character, and all that might be considered irrelevant.

comply with the request of Doctor Ryerson, that I would take a part, however unimportant, in the proceedings. It would have been more difficult for me, however, wholly to decline a request which I could not but feel that the Chief Superintendent of this most important Institution had right to make, not more on account of the deep interest which ought to be taken in the work in which he is engaged, than on account of the ability and industry and the unbated zeal with which he devotes himself to the duty. . . . The larger portion of this audience are probably, like myself, not entitled to speak with confidence of the grace and propriety of architectural designs ; but it is acknowledged that, so far as may be consistent with strength and durability, what the art of the Architect aims at is to please,—and to please not those only who can appreciate his difficulties but the greater multitude of observers who are ignorant of rules, and who, when they admire, they know not why, give a strong testimony that one great object of the artist has been attained.

I believe I am expressing the general sentiment when I declare my admiration of the handsome Edifice in which we are assembled. It would have been inconsistent with the circumstances of this yet new Country to have expended much of the revenues necessary for the supply of so many pressing and growing wants, in decorating this structure with the massive columns and elaborate carving which are required for creating an imposing grandeur of effect ; but we have here provided in a style fairly in keeping with the Country, and with the object, a large, substantial, and well proportioned Building-of durable materials, and yet of light appearance, and in its interior arrangements, I doubt not, perfectly well adapted to its purpose. I have heard it generally spoken of as a striking ornament of the City, in which it occupies a convenient appropriate position, and by whose inhabitants I trust it will come to be regarded in successive generations with growing favour. In my own judgment it does great credit to the taste and talents of the Architect, and I wish, for the sake of Mr. Cumberland, that the opinion came from a quarter which could give it more value. But these are subordinate matters.

It is to the system of Religious Intellectual and Moral, training that is to be carried on within these walls that the deeper interest attaches ; for we stand now around the fountain from which are to flow those streams of Elementary Instruction, which, while the Common School System endures, must be conducted from it into every City, Township and Village in Upper Canada,—I might almost say conducted to every Farmer's, Mechanic's and Labourer's dwelling ; for the law has provided amply and certainly for placing, at no distant day, the education which can be obtained in this Normal, with its practicing Model Schools, within the easy reach of all. There will be no impediment, from distance, no difficulty from straitened means ; the most densely crowded quarters of our Towns, and Cities, and the remotest corners of our Rural Districts, will be sure to have their School Houses, their Teachers, their Books and their Maps and Apparatus.

Whoever reads the Common School Acts and considers the provision which they make fo diffusing the System of Instruction which they authorize, will see that its effects must inevitably pervade the whole mass of our population. And at what a time is its efficiency about to be felt ! I speak with reference to the impulse given to Agriculture and Commerce, the spirit of enterprise called forth by the improvements in Science, and the remarkable proofs which we are witnessing of the vivifying influence of increased population and of increased wealth. It would be difficult, I think, to point out a Country in which, at any period of its history, the results of such an Educational System could have deserved to be regarded with greater interest,—or watched with more intense anxiety. It is not only the City which this Building adorns that is concerned in these results,—not merely the surrounding country, whose inhabitants will enjoy more convenient access to this Institution,—not Upper Canada alone, for the lower portion of the Province is scarcely less directly interested in whatever must influence the composition and acts and counsels of a Government and Legislature common to both. We may say with truth, that the interest even extends much farther.

It is commom for us to hear of that great experiment in government in which the vast Republic near us is engaged. The world, it is said, has a deep interest in the result, and none, it is more true, have stronger motives than ourselves for wishing that the experiment may prove successful in attaining the great objects of all good governments,—by preserving order within the boundaries of the Country governed, for it is unfortunate to live near unruly neighbours, foreign, or domestic, and unsafe, while we happen to be the weaker party. But in Canada, and the other Provinces of British North America, we have an experiment of our own going on, in a smaller way to be sure, but still on a scale that is rapidly expanding,—and an experiment of no light interest to our Glorious Mother Country, or to mankind.

We occupy a peculiar and a somewhat critical position on this Continent, and more than we can forsee may probably depend upon the manner in which our descendants may be able to sustain themselves in it. It will be their part, as it is now ours, to demonstrate that all such freedom of action as is consistent with rational liberty, with public peace, and with individual security, can be enjoyed under a Constitutional Monarchy as fully as under the purest demo-

cracy on earth,—to prove that, in proportion as intelligence increases, what is meant by liberty is better understood, and what is soundest and most stable in government is better appreciated and more firmly supported. The glorious career of England among the Nations of the world demands of us this tribute to the tried excellence of her admirable Constitution ; it should be our pride to show that, far removed as we are from the splendours of Royalty and the influence of a Court, Monarchy is not blindly preferred among us from a senseless attachment to antiquated prejudices, nor reluctantly tolerated from a sense of duty, or a dread of change ; but that, on the contrary, it is cherished in the affections, and supported by the free and firm will of an intelligent people, whose love of order has been strengthened as their knowledge has increased,—a people who regard with loyal pleasure the obligations of duty which bind them to the Crown, and who value their Kingly form of Government not only because they believe it to be the most favourable to stability and peace, but especially for the security it affords to life and property, the steady support it gives to the laws, and the certainty with which it ensures the actual enjoyment of all that deserves to be dignified with the nam of freedom.

As soon as the Legislature of Canada determined to apply so large a portion of its revenue to the support of Common Schools, it became necessary to the satisfactory and useful working of the System that an Institution should be formed for the instruction and training of the Teachers, and it was a great advantage that, before the circumstances of this Country first called for such a measure, and rendered its application practicable on a large scale, the efforts of many enlightened and judicious persons in other Countries has been for years directed to the subject ; and all the questions of Discipline, distribution of Time, Methods of imparting Knowledge, Subjects of Instruction, and the extent to which each can be carried, had engaged attention and had stood the test of experience. Many valuable Books had been compiled expressly for the use of such Schools, and great care and diligence had been used in making selections from the abundant stores of knowledge already available. And so far as these political considerations are concerned, which it would be culpable ever to lose sight of, we can fortunately profit, without hesitation, by all these important aids, being bound by the common tie of allegiance to the same Crown, and having the same predilections in favour of British Institutions as our fellow-subjects of the United Kingdom.

Without such a general preparatory system as we see here in operation, the instruction of the great mass of our population would be left in a measure to chance. The Teachers might be many of them ignorant pretenders, without experience, without method, and, in some other respects, very improper persons to be intrusted with the education of youth. There could be little, or no, security for what they might teach, or what they might attempt to teach, nor any certainty that the good, which might be acquired from their precepts, would not be more than counterbalanced by the ill effects of their example. Indeed, the footing which our Common School Teachers were formerly upon, in regard to income, gave no adequate remuneration to intelligent and industrious men to devote their time to the service. But this disadvantage is largely removed, as well as other obstacles, which were inseparable from the conditions of a thinly peopled and uncleared Country, traversed only by miserable roads, and henceforward, as soon at least as the benefits of this great Provincial Institution can be fully felt, the Common Schools will be dispensing throughout the whole of Upper Canada, by means of properly trained Teachers, and under viligant superintendence, a System of Education, which has been carefully considered and arranged, and which has been for some time practically exemplified.

An observation of some years has enabled most of us to form an opinion of its sufficiency. Speaking only for myself, I have much pleasure in saying that the degree of proficiency which has been actually attained, goes far, very far beyond what I had imagined it would have been attempted to aim at. It is evident, indeed that the details of the System of our Schools have been studied with great care, and that a conformity to the approved methods has been strictly exacted; and I believe few, if any, have been present at a periodical examination of the Normal School without feeling a strong conviction that what we have now most to hope for and desire is, that such a course of instruction as they have seen exhibited, should be carried on with unrelaxed diligence and care Of course, I shall be understood to be speaking only with reference to those branches of knowledge which formed the subjects of examination.

There is, we all know, a difficulty which has met at the threshold those who have been influential in establishing Systems of National Education; I mean that which arises from the number of Religious Sects, into which the population is divided. This is not the occasion for entering into any discussion upon that painfully interesting question. Whatever difficulty it has occasioned in England, or Ireland, must be expected to be found here, applying with at least equal, if not more than equal force. I should be unwilling to suppose that any doubt could exist as to my own opinion on this question; and scarcely less unwilling to be thought so unjust and so uncandid as not to acknowledge and make allowance for the difficulties which surround it. They are such I believe, as no person can fully estimate, until he has been called upon to deal with them, under the responsibility which the duties of Government impose. In

the mean time, resting assured as we may, that no General System of Instruction can be permanently successful which has not the confidence and cordial approval of the sincerely religious portion of the community,— that portion I mean, who will think it worse than folly to aim at being "wise above that which is written,"—we must wait with hope and patience for the solution of this difficulty, to which I allude, may receive in other Countries more competent to grapple with it,—trusting that what may ultimately be found to be the safe and satisfactory course, may, by the wisdom and good feeling of the majority, be adopted among ourselves. When conflicting opinions upon this subject shall have been reconciled, so as to secure the full confidence and approval of those who are not indifferent to religious duties and considerations, it may be hoped that the Educational System, which is now being matured. may arrive at that state of perfection, in regard to the Regulations connected with it, that the Legislature may be able to leave it to operate from year to year without disturbance, or material change, so that all classes may become familiar with its working, and that a feeling of attachment to it may have time to form before all associations connected with the subject shall be broken up by the introduction of a new machinery. For it is not under such disadvantages that Institutions like this can do their work. They require to be able to pursue their course of daily duties in peace, and free from the distraction of uncertainty, and the agitation and anxiety of change.

I close these observations by again adverting to the very remarkable period in the history of this Province at which the Normal School of Upper Canada and the Department of Education have taken possession of their magnificent home. We are advancing with a rapidity that surprises ourselves, scarcely less than the people of other Countries who have been suddenly awakened to the truth of our astonishing, but inevitable progress. It was but a few weeks ago that I read in the *Westminister Review*, one of the leading English periodicals, that deals most frequently with Colonial subjects, an article written expressly for the purpose of impressing upon the British public a due sense of the importance of the North American Provinces, and of the great interests which with surprising rapidity are springing up within them, and claiming the attention of the Mother Country. In order to give force to his statements, the Writer of this article speaks of it as a fact, which he evidently supposes will take his readers by surprise, that the British North America Provinces contain among them a population of not less than 1,700,000 souls ; not imagining, (by authentic returns which had been published some months before he was writing,) that Canada alone contained nearly 150,000 more people than he gave credit for to all these Provinces,—and that, in speaking of the whole collectively, as he did, with the full purpose of saying as much as he could honestly say of their importance, he had sunk in bis statement about 800,000 of their actual population. In all of these extensive Colonies, distinguished as they are by a loyal and generous appreciation of their position as portions of the British Empire, the same spirit of enterprise is at this moment in active employment with the aid of singular advantages, in developing their great national resources. Everything that we can see and feel at the present time, or can discern in the future, is full of encouragement to the Farmer, the Mechanic, and the Labourer,—and, as for the Liberal Professions, it is impossible that they can languish among a prosperous people. When it was proposed in 1840 to unite the Provinces of Canada, the scheme first submitted to Parliament was to confer Municipal Institutions, by erecting in the whole territory five great District Councils for Municipal purposes, with power, to a very considerable extent, of controlling the action of the Provincial Legislature. But this suggestion was wisely, I think, abandoned, for these five Councils would have constituted so many little, but not sufficiently little Parliaments, inconveniently clashing with the Provincial Legislative Body. In place of these we see established in our numerous Counties, Townships, Cities. Towns and Villages, Councils which better comport with the idea of purely Municipal Corporations, occupying themselves in improving the material and social condition of their respective localities, and smoothing, if I may so express myself, the asperities of a rough,—because a new, Country. That these Corporate Bodies may know how to use, without abusing, their powers, it is indispensible that the great body of the people, by whom they are elected, should be intelligent and well disposed,—able to distinguish between the evil and the good, not in morals only, but in what we may call, in some degree, matters of policy and government. Nothing can insure this but early discipline, and early and sound instruction. It is true that a little learning may, in some cases, do harm rather than good to the individual who possesses it, and may make him a less valuable, because a more dangerous member of society than he might have been without it. But these are exceptional cases. It would be as wise to reject the use of Railways, because an occasional Train runs off the track, as to hesitate to give education to the multitude, for fear it may in some instances be perverted, as no doubt it sometimes is to bad purposes. But in truth this question is now decided in every Free Country, and speculations about the comparative advantages in promoting, or neglecting, education would be a useless waste of time. The multiplying calls for intelligence in the varieties of employment, which are daily increasing,—the wonderful cheapness and facility which improvements in the art of printing have given in the production of Books and Newspapers, and the quickened circulation of intelligence, which we derive from liberal postal arrangements and the magic wonders of the Telegraph, must make the neces-

sity of being able to read and write so great, and the desire to do so nearly univeral, that the few who may remain without such instruction will be made to feel the marked inferiority of their position. And soon it will be literally true, that, in Upper Canada, there will be no excuse for any person endowed with ordinary capacity, being found in a condition so degrading to a freeman, and so unsuitable to an accountable being. With everything to urge and to tempt them to the acquisition of knowledge, and everything to aid them in obtaining it, it will be impossible that the people of Canada can do otherwise than feel that, in their case, emphatically, "poverty and shame shall be to him that refuseth instruction."

It must take time, no doubt, before the prevailing influence of education can be so fully felt. The dispersion through so large a Country, of a sufficient number of well qualified Teachers by the instrumentality of this Normal School, cannot be instantaneous. Various circumstances concur to limit the number pressing forward in each year to avail themselves of its advantages,—but the advance will still be rapid. It will be a quickly multiplying process. Each well informed and well trained Teacher will impart what he has learned to many, who, in their turn, though they will not all be Teachers, will all contribute in some degree, by what they have acquired, to raise the general standard of intelligence;—crimes and vices, no doubt there will be, while there are men born with impetuous passions and with weak understandings; but the number of offences must be diminished, for there will be fewer to countenance, and more to reprove them. . . .

We shall have, I hope, from the Reverend Superintendent, and from other Gentlemen, some interesting details of the system and progress of the Normal and Model Schools, which have been founded on so liberal a scale, and are to be henceforth so admirably accommodated. And I am sure you will heartily and sincerely unite with me in the wish, that they may become powerful instruments in the hands of Providence for advancing the welfare of this Province, and promoting the temporal and eternal happiness of its people.

The Honourable Francis Hincks, Inspector General of Public Accounts, then addressed the meeting. He said, I have seldom found myself in a position of a greater embarrassment than I do on the present occasion, having to follow a Gentleman of the ability and eloquence of the Chief Justice, who has just addressed you . . . When the Reverend the Chief Superintendent of Education spoke to me in Quebec, two or three weeks ago upon the subject . . . he was kind enough to invite me to take part in the proceedings. I felt not only from the interest I have taken in Common School Education, but from the position which I occupy, that it was my duty to avail myself of the opportunity of being present at such a Ceremony. I feel that it is the duty of Members of the Government to endeavour to be present upon occasions like this, and I only regret that, since I have been a Member of the Government, I have so seldom been able to avail myself of Meetings of a similar character to the present. . . . As my worthy friend the Chairman has said, I have taken an interest in the various Bills which have been introduced upon the subject of Education. I may say with regard to this, as well as to our Municipal and our Assessment Laws, and other important Measures, I am one of those who think that we cannot arrive at perfection at first. It requires the practical experience of the people themselves in the working out these public systems before we can reach anything like perfection. All the various Measures introduced upon the subject of Common School Education, have been improvements upon the measures that have preceded them, and I certainly think that the friends of the System of Elementary Education which has prevailed in this Province must feel proud upon the present occasion, for this event is a great triumph to their principles. There has been a great deal of opposition to anything like a System of Education, from persons who have not given so much attention to the subject as those who have matured the present School Act. There has been much fear expressed by many people that there was in the School Act too great a system of centralization aimed at, and a great deal of opposition has been manifested in consequence. I have never been an advocate of a system of centralization; but I believe our School System has been managed in such a way that no offence can be taken at it. It has been worked in such a way as to give advice rather than to dictate to the people. A great deal of power has been left with the people, through their local representatives; and the Chief Superintendent of Education has rather endeavoured by moral influence to induce the people to adopt a uniform System of Education, and a uniform series of School Books, and other improvements so that there might be as uniform a system of Education as possible throughout the Country. It is impossible, without a central organization of some kind, that the necessary Statistics can be obtained, or that a correct view given of an Educational System; and I believe a great deal of good must result from the obtaining of definite Statistics.

With regard to this Institution so far, it has been most successfully conducted, and I feel bound to say that we must attribute all the merit of that success to the Reverend Gentleman who has been at the head of our Common School System.

It is only due to that Reverend Gentleman that I should take this public opportunity of saying that since I have been a Member of the Government, I have never met an individual

who has displayed more zeal, or more devotion, to the duties he has been called upon to discharge, than the Reverend Doctor Ryerson.* A great deal of opposition has been manifested, both in and out of Parliament, to this Institution, and a good deal of jealousy exists with regard to its having been established in the City of Toronto. I can speak from my own experience as to the difficulties experienced in obtaining the co-operation of Parliament, to have the necessary funds provided for the purpose of erecting this Building. I will say, however, that there never was an Institution, in which the people have more confidence that the funds were well applied than in this Institution. There is but one feeling that pervades the minds of all those who have seen the manner in which this scheme has been worked out. In regard to the Normal School itself, the Site has been well chosen, the Buildings have been erected in a most permanent manner, and without anything like extravagance, and I have no doubt, there will be no difficulty in obtaining additional Parliamentary aid necessary to finish them . . .

The Reverend Doctor McCaul, President of the University of Toronto said, that, in addressing a few observations on this interesting occassion, he would follow the example set by the Honourable Mr. Hincks, as far as brevity was concerned, not merely, because . . . he was not as familiar as he could desire, with the details of this Institution but also because he considered it unnecessary to dilate on topics which had been so ably handled in the Addresses which had already been delivered by the Chief Justice and the Honourable Mr. Hincks. He would congratulate the Chief Superintendent of Education, and the Members of the Council of Public Instruction, on the success which had attended their exertions. The Building itself is an ornament to the City, and a credit to the Architect, and as we look around upon this beautiful Theatre,—and bear in mind the admirable arrangements which have been made throughout every part of the Edifice, we cannot but feel satisfied that the remark has been justly made by the Inspector General,—that the appropriated funds have been most judiciously expended in the erection of this pile of Buildings, whose inauguration we are now celebrating.

But what, he would ask, is the chief thing which gives interest to this Meeting? It is not the pile of Buildings, however tasteful the design and substantial the execution,—not the Rooms, however capacious and convenient; no, it is something which commands a higher and a deeper interest than the graces of architecture or the commodiousness of arrangement,—it is the work that is to be carried on within these walls,—a work second in importance to none in the Province, for it is destined to perpetuate its benign influence throughout successive generations. Yes, the stamp which education impresses, however faint at first, or difficult of recognition, remains permanent and enduring, and continues indelible from age to age,—so that whatever be the national characteristics of the population of Canada, the influence of that System of Instruction which was brought forward, as has been stated, in 1841, and spread throughout the Country by the agency of the Normal School will be perceptible in its distinctive features. The diffusion of Education by qualified Instructors is the grand and ultimate end of the work to be pursued within these walls, but the immediate object is the preparation of the Teachers, through whose agency this end is to be attained. Now the work of preparing competent Instructors in the Schools comprehends not merely the necessary literary and scientific qualifications, but the teaching them 'how to teach",—a most important distinction; because, in the experience of those best acquainted with this subject, it is not the most finished scholar, nor the man of greatest information that is best qualified to communicate it, for it frequently happens that those who have the highest attainments are not the most effective Teachers. Hence the necessity of the Normal School, with its drill and its discipline. Even though it be true that the aptitude to teach is the gift of nature, yet who does not know that the gifts of nature are susceptible of improvement by art,—that endowments which might have laid inactive, or have been but imperfectly developed, are thus matured and called into effective operation?— that the most favourable direction and the most advantageous exercise of the faculties are communicated by rules,— which are the result of experience?

And how important is it that Teachers should be properly qualified for the duties of their responsible office! of what immense consequence to the community at large, whose interest are so deeply involved! Of what vast importance too to the body of Teachers themselves, as forming a profession! Time was, when little attention was paid to the dignity of this most honourable occupation,—when neither the community, nor the Teachers themselves, seem to have adequate ideas of the importance of the office of Instructor. But these things have happily been in a great measure remedied. Teaching is now pursued, not as an occupation, hastily taken up for want of a better, to be as hastily thrown off when something more advantageous presents itself, but as a permanent pursuit, requiring much previous study and training, and calling into exercise the highest and best of man's intellectual and moral endowments. The community too, while they have become sensible to the danger of trusting their children, whose happiness both here and hereafter may depend on the character of the instruction received, to

*See Mr. Hincks' reference to Doctor Ryerson's services on page 14 of the Ninth Volume of this Documentary History.

persons incompetent for the task, have also learned that they cannot expect that task to be properly discharged if they treat those who devote themselves to it, with little liberality and less respect, and force the best qualified among them, from the want of the renumeration which they have a right to expect, or of the consideration which is their due, to apply their abilities to other pursuits. But I have said that the diffusion of the blessings of Education throughout the Land is the ultimate end of the work which is to be pursued within these walls. What mind can justly estimate, what tongue can adequately express– the benefits that must flow from such a diffusion? What influence will it have in elevating the tastes and in repressing low and debasing habits? And oh! how many there are, who, if they had but the avenues of enjoyment thrown open to them which education presents, would never have fallen into the grovelling habits which have ruined both themselves and their families. Bnt, in another respect too, the diffusion of education must exercise a most important influence througout the Country. We live in times when the tendency is to a diffusion throughout the masses, of a greater amount of political privilege than has hitherto been usual. The times exist when the majority of the people must exercise political privileges, and if so, of what immense importance is it that the masses should be educated, that they should be placed in such a position that they should know their independence and understand their rights,—that they should posses that power, which education gives, of protecting themselves against religious or political, imposters.

The learned Chief Justice has referred to the advantages which we enjoy under our form of Government. Of what consequence it is that the people should be able to understand, and be prepared to show, that they maintain their allegiance to the British Crown and their adherance to the limited monarchy under which they live, not through any antiquated prejudices, nor yet through any traditionary veneration, but because, though familiar with the operation of another form of Government on the other side,—and I underrate not the advantages of that system, for there are many things in it which we might safely imitate. We, however, prefer that which we have, entertaining the well grounded conviction that under a limited monarchy, such as that of England, we can enjoy all real advantages and all real individual liberty for ourselves and for our children, and under it have happiness here, and the means and opportunity of preparing themselves for happiness hereafter.

So far as he had spoken, (Doctor McCaul said,) he had referred to the diffusion of intellectual and moral education. But there is another most important element which he would briefly notice, with reference to Religious Education. The Chief Justice touched upon it slightly, with that caution which the importance of the subject required, and that skill which characterises everything that falls from that learned Gentleman. In referring to this subject, he, (Doctor McCaul), had no hesitation in expressing his opinion that one of the features connected with the Normal School which he most admired was, that provision is made for the Religious Instruction of the Student Teachers.* The difficulties of this question, on which such strong feeling exists, arise from the diversity of opinions which prevail throughout the Province, and the necessity of respecting such opinions, however opposed to each other. He said the necessity,—for all are bound to respect the rights of conscience; nor is there anyone more likely to treat with deference the conscientious scruples of his neighbour than the man who most strictly regards his own; nor, on the other hand, is there any one more likely to treat such scruples with indifference, or contempt, than he who has never himself felt the force of such curbs, nor been checked by their restraint. How then under such circumstances, is Religious Instruction to be provided for? Some persons believe that no System of Education ought to exist, in which the persons who conduct it, do not at the same time communicate Religious Instruction. Others believe that Secular Instruction may be given by one party, and that Religious Instruction should be communicated by those whose special province it is to give such instruction. But, however, that may be, whether the same, or different, persons are to train up our youth in the knowledge and fear of God; of this there can be no doubt, that there is no party in the Province, whose influence is worth considering, that does not believe that Religious Instruction is indispensible, that every System of Education is imperfect, unless accompanied by training "in the nurture and admonition of the Lord."

When he considered the advances already made in Common School Education in this Province, the number of competent Teachers sent out from the Normal School, and the multitude of children receiving instruction, he could not but feel that there is a prospect of the realization of that hope which he had long cherished, that there would yet be attained in this Province what he regarded as perfection in a System of Public Education under public grants. He conceived that the public funds should provide means whereby the successful, but indigent, Scholar might be enabled to pass through the successive stages of education, until he reached his profession, and there developed the abilities which God had given him. That he conceived to be the perfection of National Education, which places the humblest man, in so far as the prospects of his children are concerned, in a position equal to that of the man of the

* This Scheme of affording Religious Instruction to the Student-Teachers of the Normal School is explained by the Chief Superintendent of Education, at the close of his Address.

amplest means. They all knew many, who had sprung from that class, who had done honour to England, and he doubted not, that ere his own career was closed, he would have the gratification of seeing some of the same class gracing the highest positions in the Province,—who were originally educated at the Common Schools from the public funds,—who from the Common School proceeded to the Grammar School, where they also received free education,—and from there were admitted to the University, where, by means of the Scholarships provided by that Institution, they qualified themselves for a successful professional career, and by their own ability and industry, blessed by the favour of the Almighty, and fostered by the liberality of the Province, enrolled themselves as members of that aristocracy of talent and learning, which, though it derives no borrowed light from the splendour of ancestry, or the dazzle of wealth, yet shines with a lustre, peculiarly its own, the radiance of those purer and brighter beams, which emanate from the self-reliance and independence that characterise the man who, under God, has been the maker of his own fortune.

The Reverend Doctor Ryerson, Chief Superintendent of Education for Upper Canada,* said it had not been his intention to make any observations on the present occasion. . . . But, as allusions had been made to himself personally,—allusions which laid him under deep obligations, and of which he felt himself entirely unworthy, but could not otherwise than excite the most grateful feelings of the heart that his humble exertions were so highly approved by those whose good opinion was worth his highest ambition to deserve,—he felt called upon to make a few explanatory remarks.

The Honourable the Inspector General had observed, that he understood that certain Resolutions were to be proposed, and all that he was expected to do was to move, or to second, one of these. That idea was suggested ; but first thoughts are not always best, and, when they endeavoured to reduce the idea to practice, they found it impossible to put the Resolutions into the hands of those Gentlemen whom they desired to address the assemblage, unless they brought some expression of praise to the Council. They had themselves asked certain Gentlemen to address the assemblage, leaving them to offer such remarks as might best agree with their own feelings and judgment.

He thought this course had been found most proper; and, although it had involved the Inspector General in a difficulty . . . yet he thought they would all agree that whether prepared, or not, or whatever the circumstances in which he comes before the public, the Honourable Inspector General comes as a man of business, ready for the work assigned to him. . . . He had a promise that, if health permitted, Sir Allan N. Macnab would be present to take part in the public proceedings but he, (Doctor Ryerson,) was painfully apprehensive that indisposition has deprived us of his presence. Although thus sustaining a loss, they had acquired a gain, which they would all deeply appreciate, in the eloquent address of the President of the Toronto University,—the Rev. Doctor McCaul. . . .

This Institution stands forth in some respects as the personification, or the main spring, of that System of Public Instruction, which has extended its ramifications throughout every part of the Province. . . . Although he had given as much attention to the subject of Education as ordinary persons, yet when this great Educational work was assigned to him he felt entirely unprepared to incur the responsibility of devising and introducing a System of Public Instruction without further enquiries, and further investigation, and he was satisfied but for these previous inquiries our Public School System would never have arrived at its present position. The erection of this Building alone is sufficient justification of the course which has been pursued. Had he not visited the various Normal Schools both in Europe and America, he could not have formed a proper conception of the adjustment of the various parts, and the proper arrangements in a structure of this description.

The allusions that had been made to the taste and skill of Mr. Cumberland, the Architect of these Buildings, were fully merited ; and he would say further, that they never would have attained to this state, had it not been for the clear, comprehensive and quick conceptions, which are characteristic of the intellect of the Architect. He, (Doctor Ryerson,) only found it necessary, from time to time, in submitting the details, to tell Mr. Cumberland what he wanted, when his acute mind instantly seized it, and suggested some convenient mode of carrying it into effect. He, therefore, felt himself under the greatest obligations to the ability and cordial co-operation that he had received from the Architect of the Building,—a Building which will stand as a lasting monument of his taste and skill, as well as the liberality of the Legislature which made the Grant for its establishment.

Allusion had been made by Mr. Harrison, the Chairman, to the establishment of a System of Public Instruction. The first Bill,—that of 1841,—providing for a System of Elementary Education in the Province, when introduced into the House of Assembly by the Honourable Solicitor General Day, was seconded by the Chairman himself. Another Bill was introduced into the Legislature two years afterwards,—in 1843,—by the Honourable the Inspect-

* As Doctor Ryerson's address was chiefly historical and Statistical, I have only partially condensed it in some places

or General, and, subsequently, another Bill, prepared in 1846, was merely a perfection of that of 1843,—and the present School Law of 1850, is an improvement and extension of these previous Laws The first School Law, of 1843, applying to Upper Canada alone, however, has not been materially changed ; but the subsequent School Bills introduced into the Legislature have been designed to supply deficiencies, which the progress of the School System rendered necessary.

While the Inspector General had been pleased to refer, in a complimentary manner to himself, he, (Doctor Ryerson), had much pleasure in saying, that, although he had more to do with the Inspector General than with any other public man, yet he had never found him refuse any proposition that was fairly submitted to him, and the reasons for it satisfactorily explained. He would say that from the time he first took charge of the Education Department, he had never submitted a Measure, or application to the Government, which had not been entertained. He had been assisted in every possible way, and to the utmost extent, to which each successive Government was able to assist him. In regard to the Financial Estimate originally made for the support of the Normal School, and submitted to the Legislature by the Honourable William H. Draper, the Attorney General, it was intended merely as an experiment. The Honourable William Hamilton Merritt said it was entirely too small for the purpose proposed, and the Honourable Robert Baldwin rose in his place in the House and stated that the sum of One thousand five hundred pounds (£1,500), per annum, was altogether too little. But Mr. Draper, (then Attorney General,) said that the Estimate had been made by the Chief Superintendent of Education, and that he was not prepared to ask for a larger sum ; but that, when a larger sum should be found necessary, a proposition to that effect would be submitted. The Normal School, up to the present time, has been carried on at the original Estimate made for its support. We have acted upon a small scale at first, so that the Country might see the adaptation of the system, that upon the result, and on that ground we might come at a future day and ask for a further appropriation. That period has now arrived. We feel that it is necessary to say that, in these new Buildings, we shall require a larger sum for its annual maintenance than we have received heretofore.

There are some individuals, who are in the habit of instituting invidious comparisons between Upper Canada and the United States, but he was prepared to meet these persons, and would say, that we are prepared to carry on the Normal School in Upper Canada to an extent, and with a comprehensiveness of instruction, beyond that which exists in the neighbouring State of New York, and at a less expense. The Legislature of New York has appropriated Ten thousand dollars, ($10,000), per annum for the support of their Normal School. That includes ninety pupils in the Experimental (Model) School, and two weeks practice of teaching. The Normal School is built on one of the streets of Albany, and surrounded by no grounds whatever. We have grounds to the extent of several acres. We have over an acre of Botanical Garden, half an acre for an Experimental Fruit and Vegetable Garden, about two acres for Agricultural Experiments, besides a small Arboretum for foreign and domestic Shrubs, and Trees, and we have a Model School with, from four to five hundred pupils. We are prepared to teach as large a number of pupils as in the State Normal School in Albany, and we have had one hundred and forty Model School applications within the last week. We are prepared to conduct all these operations on—two thousand dollars, ($2,000), a year less than they conduct the Schools at Albany, without the appendages of Grounds and Model Schools. He would say that the only instance, in which there had been an excess of expenditure beyond the original Grant, is in the erection of this Building. When you look at the extent of it, and go through the ample School Rooms in connection with it, and consider that the Ground has been levelled and drained, and the entire Building completed and furnished for Seventeen thousand two hundred pounds, (£17,200), he thought every one would say that there is not perhaps so cheap a Building on the whole Continent of North America.

He had stated that there was, in connexion with this Institution, Grounds to illustrate the whole course of instruction given in the Normal School by the operations carried on in the neighborhood of the Building. Every one will appreciate the additional advantages young persons will have in going forth to various parts of the Country, so far acquainted with Botany and the Elements of Agriculture as to afford useful and entertaining conversations to the Agriculturist, among whom they may associate. The tastes and feelings and social advantages of the Country will be advanced by examples of this kind. There is not an Institution in North America, in which these accompaniments are connected with any Normal School, although every Writer on the subject has spoken of the great advantages that would result from such accompaniments. As to the annual expenditure for the accomplishment of all of these objects, we shall be able to carry them into effect with the small addition of Five Hundred pounds. (£500), per annum. He had seen in a paper of this City published that morning, that the Normal School has not accomplished the object aimed at. That remark has been made in the absence of evidence, and in contradiction of existing facts

(Doctor Ryerson here referred, for a refutation of the unfounded statement made, to the Appendix of his last Annual Report.)

That Appendix contained, not speculations, or statements, of his own, but the statements of Local School Superintendents in the various Counties, who visited the Schools and were competent to judge as to the character and success of Teachers. As a further refutation of the statement to which he had referred, he also alluded to the great demand made for Teachers from the Normal School,—remarking that the credit of the admirable instructions given in that Institution, was due to the ability and diligence of the Masters employed, and especially to the amiable disposition and high qualifications of the Head Master.

Doctor Ryerson then alluded to the facilities of Text Books and other things, and said that he could not have accomplished so much, except for the valuable assistance received from these associated with him in the Education Department. He did not, therefore, take the credit on himself, but wished to divide it with those whom he had selected, and who had been appointed, to assist him in his work.

He said that allusion had been made to the Religious Question. That question he would not shrink from. He considered every System of Education as worthless, which did not recognize, as a basis of all human dignity and honour, the Christian Religion. He would be the last to support an Institution of this kind if it did not include provision for Religious Instruction, and he appealed to the past, as a proof that the young people had felt as much improved in the Religious feelings as in their intellectual qualifications. For this they were indebted to the Clergymen of the several Churches in the City, with which they were connected. The principle acted upon was to ascertain the Church, to which each Student-Teacher belonged, and then to send a list to the respective Clergymen of the Churches the names of the various parties which belonged to each Church. The Clergyman attends every Friday afternoon, and the Student-Teachers are required to be present, and also to appear at least once on each Sabbath in the Church to which they belong. The Religious improvement of these young people, he believed, had been equal to their intellectual improvement. His earnest desire was that the Institution,—the opening of which they were now celebrating,—may send forth to various parts of the Country a class of Teachers, to which he would be proud to look to carry out the results of their training.

The Reverend John Jennings pronounced the Benediction, and the proceedings terminated.

A Card. The Education Offices for Upper Canada were this Day removed from the Brick Building in front of the Old Government House, on King Street, West, to the New Premises of the Department in the Normal School and Education Office Building facing Gould Street.

Toronto, 4th of December, 1852.

J. George Hodgins,
Deputy Superintendent of Education.

CHAPTER XXV.

ANNUAL REPORT OF THE CHIEF SUPERINTENDENT OF EDUCATION FOR 1852.

To His Excellency the Right Honourable James, Earl of Elgin and Kincardine, Governor-general of Canada.

May it Please Your Excellency.

As required by law, I have the honour to submit a Report of the state of the Normal, Model and Common Schools of Upper Canada for the year 1852, and the measures which have been adopted, down to the date of this Report, to bring into operation every branch of our Common School System, together with such General Observations as the completion of the School System and present circumstances may require and suggest. The several Tables which compose the Statistical Part of this Report, show a gradual but rapid and gratifying progress in every branch of our common School System. I will refer to only a few leading facts.

I. Number of School Sections and Schools, Table A.

Table A, of this Report presents the following results :—

1. The number of School Sections are 3,317,—being twenty-three less than in 1851—presenting the gratifying fact of the tendency to reduce, rather than increase, the number of

small School Sections. Of these, 443 are Union Sections—that is, Sections consisting of portions of different Townships. The apportionment of School Moneys to Union School Sections, the reporting of them, and administration of the law in respect to them, is attended with a good deal of inconvenience, which is unavoidable, as much greater inconvenience would be experienced to the inhabitants by not permittting the formation of Union School Sections.

2. The Number of Schools reported in actual operation is 3,010—being nine more than the number reported the preceding year. It is not, however, the number of Schools but the number of pupils attending them, the time of them keeping open, and the amount expended for their support, that determines the state, or progress, of Common School Instruction.

3. The number of Free Schools reported is 901—being a gratifying increase of forty-six during the year ; in addition to which, 429 are reported as partly free,—making in all 1,330 Schools that are supported, in part, or altogether, by a self imposed tax upon property. The Thirteenth Section of the Supplementary School Act, passed in June last* does not permit the imposing of a Ratebill of more than One shilling and three pence per month for each pupil attending a Tuition-fee school ; so that all of the Common Schools in Upper Canada are now, in a great measure, supported by a rate on property,—the true principle, and the only effectual method, of educating all the youth of the land. See on this subject an Address to the people of Upper Canada on Free Schools. [Printed on pages 73-81 of the Ninth Volume ofthis History.]

II. Receipts and Expenditure of School Moneys,—Table A.†

The amount of the Legislative Grant apportioned to Common Schools in 1852, was £18,723. 18s. 8d.—being £303. 2s. 10d. less than the amount apportioned in 1851. The Municipal Assessment imposed by the County Councils, as an equivalent to the Legislature School Grant part of the School Fund in 1852, amounted to £26,530. 5s. 10d,—being an increase on the preceding year of £694. 8s. 4d. The amount of School Section Assessments for Free Schools, was nearly the same as the formerly Municipal Assessment, being £26,132. 15s. 8d, an advance on the preceding year of £6,300 2s. 1d. The amount of Voluntary Subscriptions was small, but they, with the Rate-bills, was £36,682. 16s.—being an increase on the preceding year of £3,105.6s. 9d. The total amount of these several sums, received in 1842, for the payment of the Salaries of Teachers, was £113,991. 10s. 7d,—being an increase of £11,940. 18s. 1d. on the amount received for the same purpose in the preceding year. The amount raised for Building, Repairs of School Houses and Apparatus, and other Requisites for the Schools, was £25,094. 12s. 9d.—being an advance on the Receipts of the preceding year, for the same purpose of £5,759 14s. 9d. The amount received in support of various other Educational Institutions, was £36,989. 15s. 10d.—being an increase during the year of £4,155.-8s. 2d The grand total sum available, (as far as reported), for Educational Purposes in Upper Canada, for the year 1852, was £176, 075. 19s. 2d.—being an increase, over the receipts of year 1851, of . . . . £21,845. 1s. 0d. The sum, therefore, provided and expended for Educational Purposes in Upper Canada during the year 1852, exceeded thrice the "gross amount of all local taxes" in 1845, which amounted, according to the returns, to £55,377 4s. 1d.—less than one half the amount of the taxes and appropriations for Common Schools, in 1852

III. School Population Census, and Pupils Attending Schools,—Table B.

The whole number of children between the ages of five and sixteen years reported in the various School divisions for 1852, was 262,755,— being only 4,148 more than the number reported for 1851. The whole number of pupils reported as attending School in 1852, was 179,587,—being 9,333 more than the number of pupils reported for 1851. The number of Boys reported as attending school in 1852, was 99,264, and the number of Girls, 80,323. As the number of Girls attending the Common Schools is nearly twenty thousand less than that of Boys ; so the number of Girls attending Private Schools is much greater than that of Boys. There is, however, a difference of 83,168 between the number of children of school age reported, and the number of children reported as attending school ; and after the most liberal allowance for the number of children attending Private and other Schools, there is the painful and startling fact of more than Sixty thousand children in Upper Canada not attending any school in 1852,—a fact that ought to arouse to exertion every friend of humanity, good government and civilization, until the number of children reported as attending the Schools, shall equal, or nearly so, the number of children of school age.

The same Table (B) exhibits the average attendance at School of Boys and Girls, in Winter and Summer ; also their classification, and different subjects of study, —evincing a gratifying progress in all the branches taught, excepting Geometry, Vocal Music, and Linear Drawing,—three subjects of great importance ; the first and last for practical purposes, as a means of mental and artistic discipline, and the second as an instrument of social culture and enjoyment.

* See page 136 of this Volume.

† I have not given the Tables of this Report, as they are too voluminous. They may be seen in the Appendices of the Journals of the House of Assembly for 1852-53.

IV. Text Books in the Schools in 1852—Table C.

From Table C, it will be seen that there is a large decrease in the use of those School Books that interfere with uniformity of Text Books in the Schools, while there is a large increase in the number of Schools in which the Authorized Irish National School Books are used, and the two, or three, other Books, which have been approved of by the Council of Public Instruction. It appears that the Irish National Arithmetics are used in 2,232, Schools, and the Irish National Readers in 2,925 Schools. I know of no instance in which so great a change and improvement has taken place in the School Text-books of a Country during so short a period ; and that without compulsion. It is also worthy of remark, that all those Text-books, (with one or two exceptions), are printed in Canada,—thus encouraging domestic manufacture and enterpise, at the same time the Schools are improved. I hope the period is not remote, when we shall be the publishers of our own School Libraries, as well as School Text-books.

It will also be seen from the same Table, (C), that the Bible and Testament are read in 1,890 Schools ; being an increase during the year of 142 Schools in which the Sacred Writings are read,—a fact which sufficiently refutes the unjust calumny, uttered and published by certain persons, that our School System excludes the Holy Scriptures from the Schools!

V. Teachers, and the time the Schools have been kept open.—Table D.

The whole number of Teachers employed during the year was 3,388,—being 111 more than the number employed during a longer, or shorter, period of the preceding year. Of this number, 2,541 were men, being a decrease of 10 ; and 847 were women, being an increase of 121. In this Table, (D), will also be found a return of the Religious Faith of all of the Teachers, except 29 ; a practical refutation of another unjust calumny, that no inquiry is officially made as to whether Teachers are Christians, or infidels. At no period of Canadian History, was so strict an examination was made into the character and qualifications of Teachers, as is now the practice.

The general average salaries of male Teachers, without board, was £83 6s.,—being an increase of £4 4s., each, on those of the preceding year. The average salaries of male Teachers, with board, was £62 17s., being an advance of £27 11s, each, on those returned the preceding year. The average salaries of Female Teachers, without board, was at the rate of £52 12s., and with board, £32 1s., —an advance of £8 5s. each on those of the preceding year.*

The same Statistical Table shews an increase of First and Second Class Teachers, and a decrease in the number of Third, (or lowest), Class Teachers. According to the Returns, there were 435 First Class Teachers, an increase of 57 ; 1,444 Second Class Teachers, an increase of 172 ; 1,460 Third Class Teachers, a decrease of 87. But the Programme of Examination, or standard, of Qualifications for Third Class Teachers is as high, (though not high enough), as were those of Common School Teachers generally in former years.

According to the same Statistical Table, the average time of keeping open the schools was Ten months and twenty one days.

Owing to the increased period during which the Schools have been kept open in the Cities, Towns, and Villages in Upper Canada, the general average time during which the Schools have been open in the entire Province, appears longer than it would, were the Cities, Towns, and Villages omitted. This item of the statistics will be best appreciated by viewing it in detail as follows.—

1. By taking the sum of the average of Counties, Cities, Towns and Villages,—which gives 729, divided by 74 the number of Municipalities reported,—according to which the average would be nine months and twenty-six days,—or an average of two days less than is given in my last Annual Report.

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* It should be borne in mind that this general average return of salaries of School Teachers, includes the comparatively high average salaries of Teachers in the Cities, Towns and Villages of Upper Canada—many of which are equal to one hundred and fifty pounds per annum, and some higher. Speaking with exactness, therefore, the average annual salaries of teachers in Upper Canada generally, (omitting the Cities, Towns and Villages, which form noble exceptions to the general rule) should be stated, (as will be found in the Statistical part of this Report) to be as follows ;—

In the rural Districts of Upper Canada,—

	£
Average Annual Salaries of Male Teachers with board	36
Average Annual Salaries of Male Teachers without board	50
Average Annual Salaries of Female Teacher with board	24
Average Annual Salaries of Female Teachers without board	33
Average Salaries of Teacher in the Cities:—	
Average Salaries of Male Teachers without board	109
Average Salaries of Female Teachers without board	49
Average Salaries of Teachers in the Towns and Villages :—	
Average Salaries of Male Teachers without board	85
Average Salaries of Female Teachers without board	53

Making the general average for the entire Province, as stated in the Statistical Report.

2. By taking the separate average of the Counties, and the separate average of the Cities, Towns, and Villages—which give for, Counties, nine months, and eleven days; Cities, Towns, and Villages, eleven months and one day; A total of nineteen months and twenty-six days; this divided by two gives an average of ten months and six days.

3. By taking the separate average of the Counties, the Cities, the Towns, and the Villages, thus:—

Counties, nine months and eleven days; Cities, eleven months and fourteen days; Towns, eleven months and twenty-three days; Town Municipalities, ten months and six days; Villages, ten months and twenty-one days;

Total, fifty-three months and fifteen days; which divided by five, gives ten months and twenty-one days. This mode of taking the average time of keeping open the Schools is the most minute, and has been adopted in this Report.

VI. School Visits, Lectures by the Superintendents and School Houses.—Table E.

The School Visits indicate the interest, in this respect, in the progress of the Schools, evinced by each of the classes of persons mentioned.

1. The number of School Visits, by Local Superintendents, was 8,956—increase twenty-three, and very nearly an average of three visits during the year to each School; by Clergymen, 2,601—decrease, 245; by Municipal Councillors, 1,382—increase, 16; by Magistrates, 1,263—increase, 152; by Judges and Members of the Legislature, 79—increase, 22; by Trustees and others, 20,941—increase, 2,646. Total number of School Visits during the year, 35,164—increase, 2,556.

2. The law requires each Local School Superintendent to deliver in each School Section under his charge, "at least once a year, a Public Lecture on some subject connected with the objects, principles, and means of Practical Education." The number of Lectures delivered by Local Superintendents during the year, was 2,537—a decrease of 119, and 780 less than the number of School Sections reported. The County returns in the Tables will show in which Counties the omissions of duty, in this respect, have occurred. The number of Lectures on Education delivered by others than Local Superintendents, was 95—decrease 77.

3. The number of School Houses built during the year, was 199; of which 18 were Brick, 18 Stone, 78 Frame, and 85 Log. The whole number of School Houses reported was 3,008, of which 127 were Brick, 160 Stone, 1,249 Frame, 1,427 Log, and 45 not reported.

4. The amount received for building School Houses during the year, was £19,035 11s. 4d.—increase, £6,008 14s. 10d. The amount received for the Repairs and Rents of School Houses, was £4,988 9s. 9d.—increase, £556 13s. 9d. The total amount received for the Building, Repairs and Rents of school houses was £24,024 1s. 1d.—increase, £6,565 8s. 7d.

VII. Maps, Apparatus and other School Requisites and Libraries.—Table F.

In 1851, the Schools were provided with no less than 2,027 Maps of the World and Continents. Of course, so large a number of this kind of Maps could not be required every year, though the number procured in 1852 amounted to 1,692, or 335 less than in the preceding year. The Schools were supplied with 663 Maps of Canada, an increase of 597; other Maps, 1,454, an increase of 522. The total number of Maps of different kinds in the Schools, in 1852, was 3,809, an increase of 1,014 more than one-fourth of the whole number. Considerable additions have been made to the Apparatus of different kinds and other Requisites in the Schools, although the aggregate sum expended for this purpose is £466 14s. 7d. less in 1852 than in 1851; it being in the latter year, £1,533 7s. 3d., and in the former, £1,066 12s. 8d.

A few Libraries are reported, under the head of Common School Libraries, which are voluntary associations, as no legal steps had yet been taken, nor appropriations made, for the establishment of such Libraries. The Returns under this head appear to be very imperfect, as the amount reported to have been expended is only £35 19s. 1d., while the number of libraries reported as having been established, was 48 and the number of volumes purchased, 3,146. The Returns, however, indicate a desire to procure Books for reading, by means of associations, in anticipation of the Regulations and provisions which have since been made to establish and provide Public School Libraries throughout the Province.

The number of Sunday School Libraries reported, was 861, increase 177; number of volumes, 124,031; increase, 27,945.

The number of Public Libraries reported, was 141, increase 45, number of volumes, 37,679; increase, 33,213.

Separate Schools of Various Kinds Reported.—Table F.

From Statistical Table F, it appears that the total number of Separate Schools in Upper Canada in 1852, was twenty-five—increase one Of these twenty-five Separate Schools, three were Protestant, eighteen Roman Catholic, and four Coloured,—a number too few to dispute about, or to have the least effect upon the progress of the Public Common School System, except to strengthen it by taking away all pretext of grievance from any quarter, and disarming opposition.

VIII. Colleges, Grammar Schools, Academies and Private Schools.—Table G.

As no legal provision existed for procuring returns from Colleges, Grammar schools, etcetera, the information respecting them, given in this Statistical Table (G) has been compiled from different sources,—some of them official. The Statistical, although below the truth, present. upon the whole, an encouraging view of the progress of all the Educational Institutions of the Country.

IX. The Normal and Model Schools of Upper Canada,—Table H.

In Table H., will be found the statistics of the Normal School during each of the nine Sessions which have been held in it since its first establishment, in 1847 ; and Table K presents an account of the Receipts and Expenditures of the Normal and Model Schools for 1852. The Note appended to that Table furnishes a brief explanatory view of the progress and working of these Institutions.

The Buildings are completed ; the Grounds have been brought into a state of cultivation ; . . . The Buildings and Premises are by far the most commodious and elegant of the kind in America ;* nor do I know of any one establishment of the kind in Europe which embraces all the conveniences appendages connected with this. Yet the purchase of the ground, (a Square of nearly eight acres). preparation and first year's culture of it, the erection and completion of the Buildings, have cost only about Twenty-five thousand pounds, (£25,000 = $100,000).

The constant increase of Student-teachers at the Normal School, the notices by the Press of their public half-yearly Examinations, and the demand for Normal School Teachers in every part of Upper Canada, sufficiently evince the success and importance of the Institution. I have sought to ascertain how many Teachers trained in the Normal School are now engaged in teaching, and have given the approximate result in Table D, as 267 ; but I have been able to succeed very partially, as the only means of information was the personal knowledge of Local Superintendents,—the Teachers trained in the Normal School obtaining, until 1853, their Certificates of Qualification from County Boards, the same as other Teachers, and not distinguished from them.

There is now but one opinion among all classes as to the great importance and advantage of Teachers being trained, in order to being properly qualified for their profession.

X. State and Progress of Education in Upper Canada,—Tables K and L.

Table K, presents a Statistical View of the results of the Common School System of Upper Canada since 1846 ; and Table L, exhibits the State of Education in Upper Canada, as connected with the Colleges and Schools of every description, in the years 1842, 1847, 1851 and 1852—embracing a period of ten years—and during which, it will be seen, (although there was no increase in the Legislative appropriations), there has been an advance of more than one hundred and fifty per cent. in the number of pupils attending Schools, and the means provided for their support ; besides great improvement in the Text Books used in the Schools ; the length of time of keeping the Schools open ; the character and furniture of the School Houses ; the qualifications of Teachers, and methods of instruction.

XI. Extracts from the Reports of Local Superintendents and Boards of School Trustees.

In Appendix A, I have given extracts from the Reports of Local Superintendents and Boards of School Trustees in the several Municipalities. These extracts furnish the best practical exposition that I can present, of the actual workings of the Common School System among the people ; the obstacles it encounters ; the triumphs it is achieving ; the wants of the people, and the noble efforts they are almost everywhere making for the education of their children ; the value of Local Inspectors of Schools and of the County Boards for the examination of Teachers ; the appreciation and success of Normal School Teachers ; the amazing improvement of the Schools in Cities, Towns, and Villages,—in which, a few years since, there was scarcely the semblance of a good Common School House, or respectable Common School ; but in which are rising up, as if by magic, commodious and well-furnished School Houses, with excellent Teachers, becoming the resort of the children of all classes of citizens. I know of nothing equal to the progress of the Common Schools in our Cities, Towns, and Villages since 1850.

*See Engravings of the Buildings on pages 13 and 15 of this Volume.

I have now finished my remarks and references to the operations of the Common School System to the end of 1852. I will next state what has been done since, in order to remedy certain defects in the School Law of 1850, and to establish Public School Libraries.

XII. Recent Amendments of the School Law of 1850.

The School Act of 1850 professed to lay the foundation of a General School System,—repealing all preceding School Acts, and containing many provisions which had not been introduced into any previous Statute. Some of these provisions are general, adapted to an abnormal state, and to be filled up, or modified, as experience and the progress of the School System might suggest. The School Act of 1850,—though a great improvement on former Acts, was not, in my opinion, the best that could have been devised, but it was the best the Country was prepared for. It has been alien to my views and feelings to attempt to force the results of any School Legislation upon the Country. Although, in my first Report on "a System of Public Elementary Instruction for Upper Canada," published in 1846,* I explained all the principles, and elements and provisions which appeared to me to be essential to an Efficient System of Education, I have not attempted to introduce any one of them faster than I believed they would be accompanied and sustained by the convictions and feelings of the public mind. To create and diffuse a sound public sentiment on the educational interests and duties of the Country, has been the leading object of *the Journal of Education for Upper Canada*, since its establishment in 1848. Such was the object of some of the provisions of the School Act of 1850,—especially the one which required the annual discussion and decision of a Public Meeting in each School Section, as to the mode of providing for the support of the School, whether by School rates, or by Rate-bills on pupils. Had the law limited to either method the mode of defraying the expenses of the Schools, the results would not have been beneficial. To have made Rate-bill Schools the law, would have been to make the Schools stationary, and leave one half of the population uneducated. To have made Free Schools the law at that time, would have been in advance of the convictions of the public mind, and would have resulted in reaction and defeat. But leaving it a question for annual decision in each School Municipality, opened the widest field for discussion and experiment; the process of which would, of course, be attended with many inconveniences, but would result in the diffusion of useful knowledge, the elevation of public sentiment, the awakening of generous philanthropy, and the establishment of the just, the true, the patriotic. The nature of this struggle is betrayed in the extracts of the Local School Superintendents' Reports referred to, and the issue of it is clearly foreshadowed. The opinions expressed in County School Conventions, held throughout Upper Canada during the early part of this year, and which I attended, show how deep and widespread is the conviction, that, to make Upper Canada a Country of educated people, we must make it a Country of Free Schools.

Three years' experience by the Country, has tested the School Act of 1850; and while that experience has fully vindicated and established its general principles and provisions, it has, at the same time, shown what additions and modifications were required to improve the details. To provide for these felt necessities, and as the result of large consultation the "Act Supplementary to the Common Schools Act of Upper Canada" was passed in June of the current year,† providing greatly increased facilities for Municipal Councils, Trustees and Local School Superintendents, in the performance of their duties, simplifying some provisions [of the School Act of 1850,] enlarging others, and adding considerably to the financial school appropriations for Upper Canada. Copies of the Circulars to the local school authorities, will be found (on pages 251–258 of this Volume).

As a partial response to the growing convictions of the Country in favour of Free Schools, the Thirteenth Section of the Supplementary Act, (while it provides for the establishment of Free Schools,) prohibits the imposition of any Rate-bill "exceeding one shilling and three pence per month for each pupil attending the School." The imposition of a Rate-bill at all, depends upon the vote of the majority of the freeholders and householders present at the Annual Meeting, or at a Special Meeting called for that purpose. The sum, or sums, required to defray the expenses of a School over and above the amount of this small Rate-bill and the School Fund apportionment, must be provided by a Rate on all the Taxable Property of the School Section. It is not, therefore, possible to impose high Rate-bills as in former years, and thus embarrass Trustees, and even shut up the Schools, as was done in [the City of Toronto in 1848.][‡] The discussion of the question is divested of much of its asperity and inconvenience, by being narrowed to the simple alternative of imposing, or not imposing, a Rate-bill of one shilling and three pence, or less, per month for each pupil attending the School.

* This Report is printed on pages 138-211 of the Sixth Volume of this Documentary History.

† A Copy of this Act will be found on pages 133-140 of this Volume.

‡ See pages 67–74 of the Eighth Volume of this Documentary History.

Here also is afforded the fairest opportunity of testing, by experience, the question, as to whether the imposition of the smallest Rate-bill is compatible with the universal education of youth ; or whether it will not be the means of leaving, untaught, great numbers of that very class of the population to whom it is most important and necessary to hold out every possible inducement to attend the Schools. I am persuaded, that, in the course of a single year, or two years at most, a sufficient number of facts—from actual experiment— will be collected to set at rest the question of a Free, or Rate-bill, School, under any conditions, and to justify final legislation on the subject. The stoutest opponents of Free Schools cannot but admit the fairness of thus giving their cherished system of Rate-bills the most advantagous trial that they can ask for it. Of the results of this experiment of Rate-bills, in comparison with Free Schools, I have no doubt. It will surely be to sever forever the elevating agency of education from the degrading brand of pauperism,—to educate no child as a pauper, and a neighbourhood charity, but to educate every child as a free citizen, and upon the ground of natural right and public duty,—to inflict upon no child the curse of ignorance on account of his misfortune of poverty, but to soften the ruggedness of his lot, and lessen the sorrows of his lonely condition, by giving him the chartered rights of free access to streams of untaxed knowledge;—in one word, to make the light of knowledge as free as the light of heaven, and develope the entire intellect of the Country, as the true means of developing its entire wealth, and achieving its noblest destination.

The Cities of Toronto and Hamilton, several Towns and Villages, and nearly one thousand School Sections, have unfurled the banner of Free Schools, with the motto inscribed—"Education for all at the expense of the Property of all ;" and they are already presenting the first fruits of a principle so sublime, and a spirit so patriotic, in the erection of noble School Houses and the organization of thronged Schools, whose periodical examinations are already becoming epochs of lively interest in the annual history of their Municipalities. What is taking place in our chief Cities will, I trust, be witnessed in the remotest Municipalities of Upper Canada,—the children of "the rich and the poor meeting together," and under the protection and blessing of God, "the Maker of them all ; " imbibing the first elements of knowledge at the same fountain, commencing the race of life upon equal terms, and cultivating feelings of mutual respect and sympathy, which, while, in no respect, intrude upon the providential arrangements of order and rank in society, divest poverty of its meanness and its hatreds, and wealth of its arrogance and its selfishness.

XIII. The Establishment of Public School Libraries.

Public School Libraries constitute the last branch of the System of Public Elementary Instruction that remained to be established ; and this has been accomplished since the publication of my last Annual Report.

To establish these Libraries upon the right foundation, and in a manner best calculated to render them permanently successful, required much deliberation, care, and preparatory labour. In the noble example of those States of the neighbouring Republic, in which Public School Libraries have been established, I have found as much which I thought should be avoided and not imitated. In all their Systems of Public School Libraries, there is one principle which I think is essential, and which should invariably be adhered to,—that is the principle of granting public aid upon the condition of local exertion, and of making the bestowment of the former, instrumental in the development of the latter. But, in addition to the recognition of this principle, I have deemed it essential in a National System of Public School Libraries, to provide for the accomplishment of the following objects :—

1. The prevention of the expenditure of any part of the Library Fund in the purchase and circulation of Books having a tendency to subvert public morals, or vitiate the public taste.

2. The protection of local parties against imposition, by interested itinerant Book Venders, in regard to both the prices and character of Books introduced into their Libraries.

3. The placing of the remotest Municipalities upon an equal footing with those adjoining the Metropolis, in regard to the terms and facilities of procuring Books, with the single exception of their transmission, which is now becoming safe and easy to all parts of Upper Canada.

4. The selection, procuring, and rendering equally acceptable to all the School Municipalities of the Land a large variety of attractive and instructive reading Books, and that upon the most economical and advantageous terms.*

*The following is the extract of a Letter from a highly intelligent Gentleman in the City of New York, [to Doctor Ryerson], dated February 22nd, 1854 :—

"You will permit me to add, that I regard that feature in your enterprise, which places the selection of Library Books for the people in the hands of an intelligent organ, [*i. e.* The Council of Public Instruction,] whose judgment is final, is far in advance of the state of things among us ; except in Indiana and recently in Ohio,—where, I think, the same plan has been adopted. With most of our States, which have appropriated Funds for Library Purposes, the selection of the Books is left to Trustees appointed by the different School districts,—many of whom are not qualified for their work ; and consequently, the travelling Pedlars, who can offer the highest and most showy Books, at the lowest price, do the principal part of furnishing the School Libraries."

5. The removal of all restrictions upon local exertion, either as to the sums raised, or the manner of raising them, whether in a School Section, or Township, or County, and the encouragement of such exertions by proportioning, in all cases, the amount of public aid to the amount raised by local effort.

These objects I have endeavoured to keep steadily in view ; and the measures I have adopted to accomplish them, will be found detailed in the copies of Correspondence and papers contained in [Chapter X of this Volume] The measures include, 1. My proceeding to Great Britain and the United States, and the arrangements I made there for procuring Books upon the most advantageous terms. See Correspondence [on pages 97 99 of this Volume]. 2. I visited the various Counties of Upper Canada, and conferred publicly in each of them on the subject, in 1853, and thus ascertained the views and wishes of all parties concerned. . . .

3. The principles on which Books have been selected for the Libraries, the Regulations for their management, and the Circulars explanatory of the conditions and modes of their establishment adopted in 1853, will be given in the Report of next year.

Such are the steps which have been carefully pondered, and successively taken, for the establishment of this last, and in the judgment of many, most important branch of our System of Public Elementary Instruction ; and under the operations of which, all the Municipalities of Upper Canada will I have no doubt, be supplied in the course of a few years, with cheap reading in every department of useful and entertaining knowledge. *

XIV. General Remarks on the School System of Upper Canada, 1852.

The whole of our System of Elementary Instruction being now developed and brought into operation, it may be proper to make some remarks, in explanation of its General Principles, and in justification of certain of its Provisions, against opinions hostile to it, which have been made upon certain details of the School System from different quarters.

For the "Sketch of the System of Public Elementary Instruction in Upper Canada," which I have appended, [and which will appear in a succeeding Chapter] In addition to this Sketch, I may observe that :—

1. Our System of Public Elementary Instruction is founded on the voluntary co-operation with the Executive Government of the local Municipalities,—the Members of whose Corporations are elected by the freeholders and householders. Edmund Burke has well said, that it is the first problem in legislation to determine "What the State ought to take upon itself to direct by public wisdom, and what it ought to leave, with as little interference as possible, to individual exertion." In our System of Public Instruction, the Legislature does not levy a farthing of School Taxes. These are exclusively levied by the local Municipalities, over whose proceedings no compulsion, or other influence, is exercised, than the offer of pecuniary assistance, on the condition of local exertion. There is, therefore, no such thing as a State School Tax in Upper Canada,—all the Rates for School Purposes being levied by the local Municipalities.

2. The standard of the qualifications of Teachers is determined by Provincial authority ; but the direct and immediate management of the Schools is by the people themselves, through their selected Trustees.

3. The youth of all classes of the population have equal access to the advantages of the Schools ; the Religious Faith of all is equally protected ; and the interests of all equally consulted.

4. Our System of Public Elementary Instruction is, therefore, strictly popular and national. The people voluntarily tax themselves for its support ; they manage the Schools themselves ; the Department of Public Instruction is an agency to assist their exertions, not to supersede them. The mere working of the System is a powerful means of popular education,—training the minds of the people to thoughtfulness and providence for their offspring ; to proper standards of thinking on public questions ; and to the best modes of action in regard to the highest social interests of man.§ Executive compulsion is alien to the School System ; it is a Country educating itself ; and, in its workings, are witnessed all the struggles and triumphs characteristic of a popular progressive civilization.

* In an Address before the Connecticut State Teachers' Association by Doctor Charles William Eliot, President of Harvard University, in 1902, he thus referred to evil effects of the sensational items in Newspapers and of the pernicious class of Books to be found in many Public Libraries : . . . "The nature of the daily reading matter supplied to the . . . public affords much ground for discouragement, in regard to the results thus far obtained by the Common Schools." . . . He also refers to the "thousand of tons of ephemeral reading matter, which is not good in either form and substance," scattered far and wide over the Country. See also remarks on this subject on page 197 of this Volume.

§ In a recent Address by Doctor Charles William Eliot, (who has been President of Harvard University Massachussetts since 1869,) in a recent Address in 1902 before the Connecticut State Teachers' Association, held, that the Public Schools had hitherto failed to do what Doctor Ryerson here considered to be one of chief object and purpose of the Elementary Schools of Upper Canada. Doctor Eliot said : "our disappointments with popular education" . . . as illustrated by "public adult life in America" is "a lack of reasoning power on the part of the majority of the people." He very justly insisted upon much greater attention being constantly given to "the mental and moral training of children," and that they should be systematically "taught to think."

XV. Reply to Certain Objections made to the Upper Canada School System.

I will now advert to some objections which have been made against the School Law and the existing School System of Upper Canada :—

1. Objections of certain opposers of the Separate School Clauses of the Law : The first objections which I shall notice, relate to that feature of the School Law which permits, under any circumstances, the establishment of a Protestant, or Roman Catholic, Separate School.

On the theory involved in this provision of the law, or on the policy of introducing it in the first place, in 1841, I have nothing to say. But, it is my deliberate and decided opinion,—greatly strengthened by the experience and observation of the last year, or two,—that the abolition of this provision of the School Law would greatly impede the advancement of the Public School System, and do injury to all parties concerned ; and I entreat every friend to the continued and unparalleled prosperity of that School System, to abstain from all agitation and opposition against the provision of the School Law for Separate Schools. I think it necessary, and but respectful, at the same time, to give reasons for this opinion and counsel.

1. Let it be observed, that it is only when the Teacher, or Teachers, are Roman Catholics, that a Protestant Separate School can be established ; and only when the Teacher, or Teachers, are Protestants, that a Roman Catholic Separate School can be established. When once established, each such School can be continued, as long as the parties establishing it shall comply with the requirements of the Law.

2. This provision for Separate Schools was introduced into the School Law in 1841, and has been continued in each of the four School Acts of 1843, 1846, 1847 and 1850, which have since been passed by the Legislature.

3. This, and all the other provisions of the School Law, have been considered from time to time, as unconnected with party politics, or political parties. It is a singular fact, that four of the five School Acts by means of which our School System has been thus far developed and sustained, were brought into the Legislature, and passed, under the auspices of four different Administrations of Government. Especially in 1850, when the whole School Law underwent the most careful scrutiny and revision,*and was placed upon its present foundation, it was agreed by the Honourable Francis Hincks and by other leading men of different political parties, that the interests and politics of parties should not be allowed, in any way whatever to influence the consideration and interests of the School System. To that fact, and to the influence of the noble example thus given, upon the Country at large, is our School System largely indebted for its unrivalled success. I deprecate any departure from such a course ; I depreciate making this, or any other provision of the School Law, a political party watchward, or a "plank" in a political party "platform." The bitterest enemy of our School System could not devise a more effectual method of impairing its usefulness and impeding its progress, if not ultimately subverting it altogether, than by drawing it into the vortex of political partizanship and engulphing it in the whirlpool of political passions and sectarian animosities.

4. It is at variance with the principles of sound Legislation and government to deprive any class of persons of any rights, or privileges, (whether rightly, or wrongly conferred in the first instance), from possession of which no public evils, or wrongs, have resulted. Now, no evils have resulted, or are likely to result, from the legal provision for Separate Schools. Though this provision has been in existence twelve years, the number of Separate Schools, both Protestant and Roman Catholic, never exceeded fifty. According to the last official returns, their number is only twenty five, of which four are Coloured, three are Protestants, and eighteen are Roman Catholic. Were they twice as numerous as they are, they would not affect the general operations and success of the School System. That System never had so strong a hold upon the public mind, and never was so prosperous, as at the present time. If the existence of the provision of the law for Separate Schools has not subverted, nor weakened, nor impeded the progress of the School System during twelve years of its infancy and weakness, it is unreasonable to suppose that that provision will endanger the System now that it has acquired strength and maturity, and is becoming interwoven with the warmest sympathies and dearest interests of the people generally.

5. The existence of this provision for Separate Schools, while it is practically harmless to the School System, prevents opposition and combinations which would otherwise be formed against it. Were there no such provision, how easily could the whole of one large Religious Persuasion be wrought up into vehement opposition to the whole School System ; how readily would individuals, and small sections of other parties of the community, unite with such an opposition upon similar grounds, but with opposite objects in view ; how promptly would a large number of persons in every County, opposed, as they are, upon selfish grounds, to all

*See especially pages 11-16 of the Ninth Volume of this Documentary History.

School Rates on Property, rise up, under the pretexts of religious zeal, against "state schoolism." In such circumstances, the School System would be in danger, if not speedily overthrown. The existence of the provision for Separate Schools, averts such opposition, and renders such combinations impossible ; it furnishes a safety valve for the explosion and evaporation of those feelings which would otherwise be arrayed against any National School System. The exemption of our School System from such opposition and combinations for its subversion and overthrow, has no doubt contributed to its more rapid growth and wider success.

6. The existence of the provision for Separate Schools has, in my opinion, averted, and does avert, evils from other parties—parties among whom the few Separate Schools chiefly exist. We, have only to look at other States and Countries to find examples of prohibitions, by ecclesiastical authority, to the youth of a large portion of the community from attending the Public Schools at all, because of their alleged "danger to Religious Faith and Morals ;" and in consequence of such probitions, many thousands of youth have been seen growing up deprived of all school education ;—it being maintained that it is better for our youth to grow up withou ability to read, or write, than to have their Religious Faith corrupted, or endangered. From official intimations given, there is every reason to believe that such prohibitions would be made in Upper Canada, as they have, indeed, been made in several places. The result would be the growing up amongst us of many thousand youth wholly uneducated, and inveratelv hostile to their fellow citizens of other Religious Persuasions. But, with the provision in the School Law for the establishment of Separate Schools, these Ecclesiastics who prohibit the youth of their flocks from attending the Public Schools, are morally and literally compelled to see them provided with other Schools ; and where they neglect, or fail, to do the latter, they cannot honorably prohibit their youth from the advantages of the former. Thus does this provision of the School Law afford a protection, as well as means for securing to great numbers of youth a school education, of which they would otherwise be deprived.

7. Religious minorities in School Municipalities of Lower Canada, have the protection and alternative of a Separate School ; and those minorities, (being there chiefly Protestants), attach importance to this provision. Religious minorities in Upper Canada, whether Protestant, or Roman Catholic, cannot be fairly denied that relative protection, or right, which, under the same Legislature, they enjoy in Lower Canada.

8. The most, and in my opinion, only effectual way of causing the ultimate discontinuance and abandonment of Separate Schools is to retain the existing provision of the law on the subject. That provision secures all that is granted to the dissenting minority of any Municipality in Lower Canada,—all that can be equitably asked for by such minority in any Municipality of Upper Canada. I do not think the grounds on which Separate Schools are established, are valid ; I do not think there is any reasonable necessity for such Schools ; I think the law provides amply for the protection of the Religious Faith and Morals of all classes in the Public Schools ; I think those who establish Separate Schools voluntarily and needlessly place themselves and their children at a disadvantage in regard to the sound education of their children, and in relation to the community at large ; I think it is impossible to make, as a general rule, the Separate Schools as efficient and cheap as the Public Schools ; I think no other Schools can stand long in competition with the Public Free Schools, especially in our Cities, Towns and Villages. But it is for the parties concerned to judge of their own interests and inclinations, not me. I am persuaded that nothing but actual experiment will satisfy them ; and I am equally persuaded that that experiment, the longer and more extensively it is tried, will produce only the deeper and wider conviction as to the disadvantage and inexpedience of Separate Schools. Experience and observation will teach the parties concerned, that their fellow citizens of other Religious Persuasions are not the unbelievers and dangerous characters they are represented to be ; that they have more interests and feelings in common with them, than in opposition to them ; that the tendencies of the age, and of all the institutions and enterprises of our Country, are to co-operation and union among all classes of citizens, rather than to isolation and estrangement from each other ; that there is no part of the civil and social economy in which this general co-operation and unity are most important and advantageous to all parties, than in the mental development of the whole youthful population of the Country, and the diffusion of general knowledge ; that, as all situations of public trust and emolument in our Country are directly, or indirectly, depending upon the elective voice of the people, every man is inflicting an injury upon his children, who seeks to isolate them from that acquaintance and intercourse and community of feeling with their fellow citizens, which, in the very nature of things, is necessary to secure general confidence and favour. These silent and natural, but powerful, influences and obvious considerations will be more decisive and effective, as to the multiplication and perpetuation of Separate Schools, than all the arbitrary legislation that can be invoked on the subject. The burdens and disadvantages which are voluntarily embraced and self-incurred, cannot be complained of as a grievance, and will not be long regarded as a privilege.

9. But, it has been objected, that, by the Fourth Section of the Supplementary School Act, passed in June, 1853,*a new principle has been introduced in regard to Separate Schools, and the Public School System is thereby endangered. The fact of the objection is true, but the inference is false. The new principle introduced is that which places the Public School System beyond the reach of danger, instead of compromising it. This new principle is included in a fourfold provision :—

First, That no Municipal authority shall be employed, or Municipal tax be applied, as heretofore, in support of any Separate School.

Secondly, That whatever is raised by local rate for the support of a Separate School, must be levied and collected by and from the parties of the Religious Persuasion establishing and sustaining such School.

Thirdly, That these parties must individually tax themselves for their School in sums equal to what they would have to pay as a tax to the School Fund of their Municipality ; and on this condition alone, and only as long as they fulfil it, are they exempt from the payment of the Public School Tax.

Fourthly, That the parties supporting Separate Schools are not permitted, as heretofore, to interfere in the elections and affairs of the Public Schools. Now, every candid person must admit, that by these provisions, the Public School System is placed upon a firmer and safer foundation than heretofore, while the grievance alleged by the supporters of Separate Schools, is effectually removed. They demanded to share, not merely in what was held to be the legal School Fund,—namely, the Legislative School Grant, and an equal sum raised by local Municipal Assessment,—but in all moneys raised for School Purposes ; and complained that they were taxed and had to pay moneys, in the advantages of which they could not participate. The Fourth Section of the Supplementary School Act says, in substance, "very well, you shall not be required to pay any Public School Tax, at all, as long as you choose to separate yourselves from the Public Schools ; but you shall not share in any Municipal Assessment for School Purposes ; you shall not interfere in Public School Elections ; you must tax yourselves in sums equal to those of the required Public School Tax, and, so long as you do so, so long can you be exempted from the payment of such tax." In regard to this Fourth Section of the Supplementary School Act, let it therefore be understood :—

First, That no Separate School can be established, or continued, than on the conditions, and under the circumstances, specified in the Nineteenth Section of the School Act of 1850, and which Section is the same as the corresponding Sections in the Schools Acts of 1841, 1843, and 1846.

Secondly, That no part of any Municipal Assessment can be applied, and no Municipal authority, or Officer, can be employed, to collect rates for the support of Separate School,—a great improvement in the School Law, as it has hitherto existed on this subject.

Thirdly, That if any persons, whether Protestant, or Roman Catholic, demand a Separate School, in the circumstances under which it may be allowed, they must tax themselves for its support, and they must make Returns of the sums they raise and the children they teach,—a Regulation not before required, but rendered necessary, in order to make out the School Assessment roll, and to determine the Collector's duties, as also to know whether the children reported are of the Religious Persuasion of the Separate School,—a Regulation required half-yearly of all Trustees of Public Schools, in respect to the attendance of children at School ; and upon the basis of the Returns, thus required, is the half-yearly School Fund distributed.

Fourthly, That Separate Schools are subject the same inspection as other Common Schools,

Fifthly, That all ground and semblance of complaint of injustice is taken away from the supporters of Separate Schools, while they can no longer employ Municipal authority and Municipal Assesments to sustain them.

Sixthly, That the supporters of Separate Schools cannot as formerly, interfere in the Public School Elections, while the supporters of the Public School cannot interfere in the Elections of the Separate Schools. If, then, Separate Schools have not hitherto endangered our School System, there is still less danger of their being able to do so, under the Supplementary School Act of 1853 the provisions of which put it out of the power of any opposers to shake the foundations of the Common School System, or to get up a plausible pretext of agitation against it, on the plea of Religion, or justice. The withdrawment of a few persons here and there from the support of the Public Schools, will scarcely be felt by the people at large,—even in a pecuniary sense,—while a disadvantage will be with the separatists ; and the supporters of the Public Schools in such localities will have the advantage of promoting the interests of General Education, free from the impediments of internal discord and opposition.

*This Act is printed on pages 133-140 of this Volume.

10. One other allegation has been made, calculated to excite prejudice and opposition against the Fourth Section of the Supplementary School Act in regard to Separate Schools. It has been represented as a party concession to ecclesiastical demands and Lower Canada influence. I am able to assert, from personal knowledge, that no part of that Section was dictated, or suggested, or modified, by any public man of Lower Canada. I can also affirm, that it was prepared by myself, and submitted to the consideration of the Government, without previous consultation with any Member of it on the subject; and I constructed it according to what I had previously stated in an Official Correspondence, which was approved by those who have most objected to this provision of the Act.* The responsibility of others, whether Ministers of the Crown, or private Members of the Legislature, was in sanctioning substantially that which was submitted to them; and in what I submitted, I yielded to no other influence than of a simple desire to give effect to already existing legal provisions for Separate Schools, in such a way as would leave to the supporters of such Schools not the slightest reasonable pretext of complaint, and yet maintain, unimpaired and secure, the great principles and interests of the Public School System. I make these remarks, not with a desire to relieve any Public man from his just share of responsibility in regard to the School Law, or to object to the freest expression respecting it, but to prevent it from being brought into the arena of party politics, —an occurrence which I should regard as most calamitous in the progress of our School System.

11. Upon the several grounds, therefore, thus stated, I think the existing provisions of the law respecting Separate Schools should be allowed to remain in the Statute Book, as most promotive of the stability, success, and general interests of the Public School System, in the existing state of society. In the efficiency of that System I have as deep an interest and concern as any other person in Upper Canada, and am, perhaps, as favourably situated for judging as to the real impediments to its progress; and such is the suggestion I felt it my duty to offer.

2. Objections of Certain Advocates of Separate Schools.

I now address myself to a brief notice of objections from an opposite quarter,—objections from some of the promoters of Separate Schools, who, not content with the existing provisions of the School Law, (with which, nevertheless, they had heretofore expressed themselves fully satisfied,) are demanding further modifications; and, as they have intimated an intention of bringing this Separate School Question again before the Legislature, it is proper that I should notice it, that the Members of the Legislature, and the public at large, may fully understand the nature and grounds of the recent and proposed movements.

1. It is alleged as a reason for the fewness of the Separate Schools, that unreasonable obstacles are opposed to their establishment by the provisions and administration of the School Law. On this allegation I remark, that the time and mode of organizing a Separate School Section, with the single and only difference that the application of twelve resident heads of families of the Religious Persuasion of the Separate School desired, is necessary to its establishment; and this application is imperative on the parties to whom it is addressed. The application of persons for alteration of a School Section, and a formation of a new one, may, or may not be, complied with, according to the pleasure of the Body addressed; but, an application according to law, from twelve heads of families in a School division, for a Separate School, cannot be refused; and there is no mode of procedure required for the election of the Corporation for a Separate School, which is not required for the election of the School Corporation in every School Section in Upper Canada. The annual elections in both classes of Sections, are conducted in the same manner, and at the same time. There is, therefore, not the slightest foundation for the allegation referred to. The statement too, that the law is administered to the disadvantage of Separate Schools, is as equally unfounded. In every instance, with one, or two, exceptions, where complaints on this subject have been made, it has appeared that the complaining parties have neglected to pay any regard to those simple and necessary provisions of the Law, by which School Sections of all kinds are established; and then, when their expectations and wishes are not realized, they ascribe the failure, not to their own irregular mode of procedure, but to the hostility of the Administrators of the law. The Correspondence of this Department will show how much pains have been taken to point out to these parties their mistakes, how they might be avoided, or retrieved, and how all the advantages of the School Law could be secured to them. Before the least credit is given by any Member of the Legislature to such imputations upon the administration of the School Law, let the cases on which they are based, be specified, and let the Official Correspondence of this Department respecting them be called for; and I am

* "It is possible that the Legislature may accede to the demands of individuals praying, on the grounds of conscience, for unrestricted liberty of teaching; exempting them from all School Taxes, with a corresponding exclusion of their children from all the Public Schools, and leaving them perfectly free to establish their own Schools at their own expense; but I am persuaded that the people of Upper Canada will never suffer themselves to be taxed, nor the machinery of their Government to be employed, for the building and support of Denominational School Houses, any more than for Denominational Places of Worship and Clergy." *(Letter of the Chief Superintendent of Education for Upper Canada, to the Right Reverend Doctor de Charbonnel, Roman Catholic Bishop of Toronto, dated March 13th, 1852.* See page 179 of this Volume.)

persuaded that every candid man will be satisfied that all such imputations are not only groundless, but the very reverse of justice and truth.

2. It has also been objected to make the required Statistical Returns to the local Municipal Authorities, and a desire has been expressed to make such Returns to the Chief Superintendent of Education also, and receive directly from him, acting under the orders of the Governor General-in-Council, the apportionment and payment of moneys to Separate Schools. This would be placing Separate Schools in a different position from any other Schools, would virtually exempt them from all inspection, and their Returns from all inquiry as to correctness; for it is impossible that the Head of the Department can know anything as to the fairness of such Returns, or of the comparative half-yearly average Returns of the attendance of pupils at the Public and Separate Schools, without going and examining the Register of the Schools and the modes of keeping them ; nor would it be possible for him to devote the time and labour necessary to perform these duties of the Local School Superintendents, were he even able to investigate and judge of the correctness of the Returns made. Unless such Returns are made to the Local Superintendents, the Municipalities will not have the requisite data to make the exemptions authorized by law. Nothing can be fairer than the present system of making the Returns of both the Public and Separate Schools ; and there is no reason why the only mode of securing correct Returns should not be required of the one class of Schools as well as of the other. In any possible case of difference between the local parties, arising out of these Returns, or any other questions, there may be an appeal to the Chief Superintendent of Education, and afterwards if need be, to the Governor-General-in-Council.

3. It has been further objected, that the apportionment of school money to the Separate Schools should be made according to the number of the Religious Persuasions establishing them, and not, as at present, according to the number of children attending these Schools. This demand involves legislating for a class, or Religious Persuasion ; it annihilates individual right of choice, and places the right of every individual of a Religious Persuasion, in regard to the Public Schools, and his obligations as to the Separate Schools, at the disposal of such persons in each Municipality as may demand a Separate School ; Whereas, the School Act provides Public Schools for all upon equal terms and under equal protection, and will separate no citizen from his rights and obligations in regard to these Public Institutions, except by his own voluntary request, and on the fulfilment, on his part, of certain corresponding conditions. The law has thus to do with individuals and individual rights, and not with Religious Persuasions, or Ecclesiastical Authorities.

4. It will thus be seen, that each of the three foregoing objections and demands involves directly, or indirectly, the placing of the Church above the State,—making the Agent, Tax-assessor and Collector for the former,—a policy repugnant to the principles of free government, and at utter variance with the enlightened spirit of our Country and of this age. These demands originate from a natural desire to counteract the disadvantages necessarily attendant upon the establishment of Separate Schools, and to place them in a position of peculiar advantage But, as long as a part is less and weaker than the whole, so long must those, who isolate themselves from Public Schools, and establish Private, and Denominational, ones, be prepared to bear additional expenses and burden for this distinction and gratification. Another reason for these demands is, the new grounds on which Separate Schools are advocated. Heretofore they were only desired to meet the peculiar circumstances, or extreme cases of neighbourhoods, where religious bigotry and party spirit deprived the minority of protection from injustice and oppression , but, within the last year or two, Separate Schools have been demanded on the ground of theory, independent of any local circumstances, and upon the ground of avowed hostility to the principles of our whole Public School System ; and in this spirit the passing of the Fourth Section of the Supplementary School Act was celebrated by the newspaper advocates of Separate Schools as a fatal blow to the Public School System. When, therefore, modifications in the School Law are sought for with the avowed purpose of subverting and destroying the System of Public Schools, the question assumes a new aspect and a new importance with all those who consider it the duty of the state to provide for the education of all the youth of the state.

5. It has lately been objected that injustice is done to the parties establishing Separate Schools by the present mode of distributing the School Library Grant, and it has been insisted that the Grant should be distributed to them according to the numbers of their Religious Persuasion, and not to the Township and School Municipalities, as is now done. On this objection and demand, I have to remark :—

Firstly, That these Libraries are not established for Denominational, but for general purposes :—

Secondly, That the utmost fairness and impartiality have been exercised in the selection of the Books—many of them being from Roman Catholic sources ;

Thirdly, That, besides my own personal endeavour to procure as large a variety as possible of the best works, adapted to general reading, emanating from Roman Catholic, as well as Protestant, Authors, application was made to the Roman Catholic Bishop of Toronto, (who is also a Member of the Council of Public Instruction,) for a list of historical works, such as he would recommend ; and the historical books thus recommended, or approved by him, have been inserted in the Official Catalogue.

Fourthly, That I have given official notice, that the Trustees of Separate Schools would be aided upon the same terms as Trustees of Public Schools in the establishment of School Libraries. These facts have been kept from their readers by the publications which have assailed the School System and myself on this subject.

6. I think it my duty to advert here to the manner in which I have myself been treated by the advocates of Separate Schools above referred to. During the whole of my admistration of this Department, I have known neither Religious Sect nor Political Party ; I have endeavoured simply to serve my Country. The first and only official Correspondence which has partaken of a controversial character, was with the Right Reverend Doctor de Charbonnel, Roman Catholic Bishop of Toronto. That Correspondence was called for, and printed by order of the Legislative Assembly ; and, with a fairness characteristic of French manliness and honour, it was published entire by the principal French newspapers of Lower Canada. The effect was, I have reason to believe, a satisfactory conviction among public men generally, if not unanimously, in Lower Canada, that I had fulfilled my duties in an impartial manner. But the papers of the same Religious Persuasions, published in the English language, have pursued a very different course. To those Journals I should make no allusion, were they not acknowledged Organs of certain parties, and had they not been commended by Episcopal Authority, to the confidence and support of a large Religious Persuasion. In regard to the course pursued by those Journals, I have to draw attention to two things.

1. The invoking of Lower Canada interference in an exclusively Upper Canada question,—getting up discussions and petitions in Lower Canada, for legislation in the school matters of Upper Canada.* No portion of the Canadian Press is more sensitive and hostile than those Journals, and the parties they represent, against any interference on the part of Upper Canadians with the Religious and Educational Establishments of Lower Canada ; and, from the beginning, I have avowed the same opinion, and pursued the same course.—believing, that an opposite course on the part of the inhabitants of either section of Canada, would sever the union of the two Provinces, if not produce more serious results. Yet these Journals have commenced the example and advocacy of a course of proceeding, which every friend of United Canada must deprecate, and which, if presisted in, is pregnant with disastrous consequences.

(2) These journals have not permitted their readers to see one paragraph that I have written in the Official Correspondence above referred to ; but have systematically misrepresented the purport of it ; have assailed me in strong terms, and still continue the demand for my removal from office It is well known to every reader of it, that the Correspondence had no reference whatever, (as represented by these Journals) to the existence, or non-existence, of Separate Schools, but simply to the proportion of moneys appropriated and raised for School Purposes, to which Separate Schools were legally and justly entitled. If, in the course of the Correspondence, I remarked upon other topics, it was known to be in reply, and in vindication of the impugned principles, and the character and institutions of the great majority of the people of Upper Canada. Then, as to my removal from office, I leave, as I always have done, to the responsible Authorities of the Country, the absolute disposal of an office, for appointment to which, or continuance in which, I never made a request, and which I do not wish to fill any longer than I can do so to the satisfaction, and for the advantage of my Country. But I have one request to prefer, in regard to myself, and one in regard to the School Law and System, to establish and extend which so much labour has been bestowed ;

7. The first request is, that before even the slightest credence be given to the statements of the parties referred to, the Official Correspondence of the Department may be called for, when it will be seen, whether I am more entitled to the gratitude, or censure of such parties.

The second request is, that before the existing settlement of the Separate School Question be allowed to be disturbed, let the complaining parties specify their charges against the present provisions and administration of the law, and give the facts in support of such charges, and let a Commission, or Committee of the Legislative Assembly be appointed to investigate them. I shrink from no investigation ; I court every inquiry than can be made.

8. I should have passed over these attacks in silence, as I have done in regard to many others, were they not made by the Organs of certain Ecclesiastical Parties, and made with the view of demanding and obtaining further provisions for Separate Schools, and with the avowed purpose of injuring and destroying a Provincial System of Universal Education. Under such

* See the Petitions from Roman Catholic sources in Lower Canada, on pages 104, 107 and 110 of this Volume.

circumstances, I think the objects of these parties, in regard to myself, and the Public School System, should be fully understood. The attacks and efforts of these parties will not, I trust, induce me to depart one iota from that course of entire impartiality towards all Religious Persuasions and Political Parties, which I have endeavoured to pursue from the commencement and which has been repeatedly acknowledged by many distinguished Members of the Religious Persuasion of my assailants ; but while I do so, it is equally my duty to guard the Public School System, against all attempts to weaken and subvert it.

XVI. REGULATIONS RESPECTING RELIGIOUS INSTRUCTION AND EXERCISES IN THE SCHOOLS.—OBJECTIONS TO THIS FEATURE OF THE SCHOOL SYSTEM.

Nothing has been elicited by the experience, observations, and discussions of another year to modify the conclusions which had been adopted as to the Regulations in respect to Religious Instruction and Exercises in the Schools. I explained and remarked on these Regulations at some length in my last Annual Report.* I need add but little to what I then stated. In the several petty and personal criticisms which have been published on my remarks, I have read nothing to weaken their force, or that has seemed to merit notice. All theories, which transfer to the Day-schoolmaster, between the hours of Nine o'clock in the morning and Four in the afternoon, during five days of the week, the obligations and duties which the Holy Scriptures, the primitive ages of the Christian Church, and the Constitutions of all Religious Persuasions, enjoin upon Parents and the Clergy, must be unsound and vicious in principle, and immoral in tendency. All theories, which make the State the Servant and Creature of the Church is, as all history demonstrates, degrading to the former, and corrupting to the latter. All theories, which leave any portion of the population without a public provision for instruction in the elements of a practical education, are at variance with the principles and ends of good government, and hostile to the rights and interests of men. All theories, which compel, by human enactment, States, or communities of men, in respect to Forms and Exercises of Religion, infringe the prerogative of Jehovah Himself ; trample upon the individual responsibility of man to his Maker ; and involve the assumptions, on which have been based the most grinding politico-ecclesiastical despotism and cruel persecutions that have cursed mankind and crimsoned the Church of God.

2. If the right of local self-government is invested, or recognized, in an incorporated community, that right is as inviolable, in respect to the smallest School Municipality as in respect to the largest Province, or State. Facilities may be provided, and recommendations may be given as to the mode of exercising that right ; but the adoption of such recommendations is at the discretion of the Municipality itself. Penalties, in the form of pecuniary losses, or in any other form, to enforce such recommendations in exercises of Religion, is an infringement of a right sacred to every man, as a moral agent, as well as to every free community. This principle is so obvious, that it was recognized and acted upon in Upper Canada, long before the creation of our present Municipalities, and the large discretionary powers with which they are invested. The utmost that a Provincial Board of Education thought proper to do in those days, was to make the following recommendations, after the passing of the original Elementary School Law of 1816 :—

("1.) That the labours of the day commence with Prayer.

("2.) That they conclude with reading publicly and solemnly a few verses of the New Testament, proceeding regularly through the Gospels.

("3.) That the forenoon of each Saturday be devoted to Religious Instruction.

3. In those days there was nothing whatever in the School Law on the subject of Religious Exercises and Instruction, about which some persons talk so much now-a-days ; the most intemperate and vicious characters were often employed as Teachers ; there was no provision to give effect to the above recommendations, or even to put them into the hands of School Trustees ; they were scarcely known, if known at all, beyond the columns of one or two of the few newspapers that were then published ; no steps whatever were taken to enforce them ; and every person acquainted with the state and character of the Schools of those times, knows that, in not one School out of ten, if in one out of twenty, were there daily Prayers and Scripture Reading, or Religious Instruction of any kind was practised, it was done at the option of the Trustees and Teacher of the School. Let any one compare the above quoted recommendations, with the existing Regulations on the subject, as given [on pages 197, 198 of the Ninth Volume of this Documentary History], and he cannot fail to be impressed with the gross inconsistency of those who, though the architects and advocates of the former, are the assailants of the latter, as essentially defective and even irreligious ! perhaps a more remarkable example of blind partizanship could hardly be selected, an example,—I believe, little approved of, or its spirit little participated in, by any considerable portion of the community.

* See pages 33-37 of this Volume.

4. I think, however, it is desirable, in addition to the existing Regulations and recommendations, that the Council of Public Instruction should provide suitable Forms of Prayer, to be used in the Schools as may be desired by the Trustees and Teachers; and I trust such Forms will shortly be prepared for both the Grammar and Common Schools * But the use of them, as well as all special Religious Instruction in the Schools, must be at the discretion of the Parents and Trustees concerned. Compulsion on this subject is as impracticable as it is unreasonable and tyrannical. Every good man must desire the largest possible infusion of the principles, sentiments, and spirit of Christianity in our Schools, and in the entire management of the Public School System; and the great improvement in these Schools in this, as well as in every other respect, is the best proof of the wisdom of the Regulations and recommendations which have been made by the Council of Public Instruction in respect to Religious Exercises and Instruction in the Schools, and which will be found explained and vindicated at some length in the [pages of the Ninth Volume of this History], under the head of "Question of Religious Instruction, in connection with our System of Public Instruction.§

It is worthy to remark, that although a few petitions, (proposed and recommended for signature by one or two Ecclesiastical Dignitaries), have been presented to the Legislature in favour of a Denominational System of Common Schools, not a single Member of the Legislative Assembly from Upper Canada, of any Religious Persuasion, has been found to advocate such a system,—an indication, the most decisive, of the strong and universal sentiments of the people on the subject.

TORONTO, December, 1853. EGERTON RYERSON.

* This was done some years later, and the forms for Morning and Afternoon Prayer were printed on neat cards.

§ The London Times of September 29th, 1853, in an editorial article in defence of the Religious Regulations of the National System of Education in Ireland, which have been adopted in Upper Canada, makes the following unanswerable remarks,—

"A sound moral and literary instruction is secured without the danger of sectarian collision; and opportunities are afforded to the Ministers of the different Creeds of providing for the spiritual wants of their respective flocks. It is constantly asserted that purely secular education is unbefitting to Christians, and that conscientious Clergymen cannot, with propriety, afford it their countenance and support. The answer to such objections is,—firstly, that of expediency, such being the only system capable of comprehending the entire mass of the people: secondly, that it rests with the Ministers themselves whether those of their own creed are at other times duly provided with Religious Instruction, or not; and thirdly, a reference to other institutions, to the proceedings of which the most scrupulous Churchmen have never taken exception; for, if inquiry is made into the course pursued at Eton and others of our Public Schools, it will be found that the instruction provided in the regular school hours is, with the exception of the reading of the Greek Testament, for one hour in the week, purely secular, and that the Religious Instruction is entirely left to the Tutors in whose Houses where Boys live, and who are each at liberty to take their own time and method of imparting such instruction. In point of fact Religious Instruction is not, at Eton, part of the general school business. This may be right, or wrong, but there certainly is in its practise a considerable similarity to the plan of Irish National Education. We never heard of Clergymen having conscientious scruples to the Eton system of education; why should they object so violently to a very similar proceeding in Ireland?" . . .

"A strong effort has been recently made in some parts of our Country, by the leaders of one Religious Persuasion, to withdraw a portion of the Public School Money from the general fund, and appropriate the same to establish Schools distinctly for their own children, where their own peculiar Religious Tenets may be more prominently presented. Moral and Religious Instruction is necessary to sound education. Our Schools will fail of producing the results expected of them, unless such instruction is there given. Knowledge is indeed power; but, unchristianized, it is often to curse as well as to bless. The ends of the government, therefore, require that Religious Instruction should be given in our Public Schools. Yet it must be remembered that the relation of man to God is a private, personal, and sacred obligation. It is usurpation in Government to interfere in this relation, except so far as is necessary, in its own proper administration, and in preserving inviolate the rights and privileges of all the governed. It is the duty of School Committees to guard the Religious Instruction in our Schools from degrading into sectarianism, or becoming such, as to give any Christian, whatever may be his Religious Tenets, just cause of complaint. The text should ever be, "Thou shalt love the Lord thy God with all thy heart, and thy neighbour as thyself." To those, whoever they may be, who desire more specific sectarian instruction in the Schools, or the establishment of distinct Schools for different Denominations, the simple answer is, you must afford that instruction, and maintain those Schools yourselves; Government can support only those Schools and afford that instruction, which is free and appropriate to all within its jurisdiction. Our Public Schools are free to the children of foreigners, equally with those of our own citizens. But the whole character of the instruction given must be such, and such only, as will tend to make the pupils thereof American Citizens and ardent supporters of American institutions. The very moment this principle is infringed upon, and distinct Exclusive Schools are established, for any specific purpose whatever, our School System, which has given to our Country its strength, is broken up and its glory and usefulness departed." — *Annual Report of the Public Schools of Boston for 1853, pages 19-20.*

CHAPTER XXVI.

PAPERS ON THE SCHOOL SYSTEM OF UPPER CANADA, 1852.

I. The Spirit in which the Present Educational Movement should be directed: By the Chief Superintendent of Education.

II. Origin of the Principle of Free Schools in Upper Canada: By the Chief Superintendent.

III. Report of Lord Elgin, Governor-General, to the Colonial Secretary December, 1852.

As a fitting sequel to the foregoing Report of the Chief Superintendent of Education for 1852, I insert the following explanatory Papers by him, (Numbers I and II), relating to the growth and expansion of the School System of Upper Canada in the early Fifties:

I. The Spirit in which the Present Educational Movement Should be Directed.

1. I desire to refer here to the spirit and manner in which the new educational movement in Upper Canada should be conducted.—the School Law having been recently amended—

That an important era has arrived in the history of our educational operations, is a gratifying and encouraging fact. The spontaneous adoption of the principle of Free Schools, in the minds and feelings of the people of the School Sections, generally, is a striking proof of the singular adaption of that System to the wants and wishes of the Country, in regard to the diffusion of popular education. The practical application of the Free School Principle is, however, not so universal; nor are we anxious that its immediate adoption should be urged too strenously by the many new and ardent friends which it has acquired in various parts of Upper Canada. In some instances I have reason to fear, that a laudable zeal to confer upon the School Sections the inestimable advantages of a generous and unrivalled System of Free Schools, has been tinctured with a spirit of assertion and dogmatism. To such friends of Free Schools, as well as to those who would wish to call in the authoritative voice of the Legislature to enforce the adoption of that system, I would respectfully offer one or two suggestions.

2. The character of our Educational System is rapidly assuming a consistence and vigour, which will mark its progress for many years to come. The various Officers charged with the administration of that System, as well as those more immediately concerned in promoting its success, should, therefore, proceed with greater caution and singleness of purpose. An enlightened spirit of general cooperation should characterize their efforts. In all cases, whether by lecture, or at Public and Special Meetings, and Quarterly School Examinations, the great question of Popular Education, should be intelligently discussed,—its principles elucidated, and its vital importance to the neighbourhood practically illustrated. To accomplish this successfully, conciliation and forbearance are essential. Attention should be specially directed to the intrinsic merits of the subject; its equal, if not paramount, importance with other great national interests already cheerfully sustained by the public, such as the administration of Justice, organized systems for the repression, or prevention, of crime, and other important subjects.

3. In the advocacy of any measure, however excellent, or equitable, it may be, and it is expedient and proper, that we should attentively listen to the objection of opponents; and not imperiously attempt to repress the expression of sentiments, which, although, perhaps erroneous, are, equally with our own, independent and sincere. There is a latent pride and spirit of resistance in the bosom of almost every man, which, if imprudently, or incautiously, aroused, will result in a settled opposition to the favourite theories of others,—however invested with practical utility those plans may be. The skill of David to calm the troubled spirit of the wayward Saul lay, not in the vigour of his arm, but in the sweet and touching melody of his harp. The mighty Hunter, with his arts and stratagems may often fail to cage the Lion, or the watchful Lynx; but at the gentle strains of the fabled Orpheus, the fierce, the fearful and the untractable were alike subdued. What can we see in those two instances, but a figurative illustration of the mighty power of the "human 'voice' divine,"—modulated to the accents of persuasive truthfulness, and sympathy.

4. In many School Sections, I have witnessed with pain the advocacy of that national peacemaker,—a generous system of universal education, and the great charter question of the

age,—degenerate into mere party strife, and petty, personal bickerings. The zeal of one party, coming into strong contact with the selfishness of another, must ever ensure disaster and defeat to the best and noblest cause. It is an anomaly that a forced system of Education should be a free one, and vice versa. I would, therefore, suggest to all the friends and advocates of Free Schools, that they would carefully avoid permitting such a reproach to be cast upon this great National System of Education in its infancy. A prejudice founded at this early period, upon harshness and severity, exercised in the application of the law authorizing Free Schools, will, in after years be more difficult to contend against and overcome, than the legitimate and decided opposition of the avowed enemies to the principle itself. I am aware that the reasons which induce School Trustees and others to urge the immediate adoption of the Free School System, in their School Sections, are numerous and weighty. To a person, who ardently deplores the want of Education in a neighbourhood, and the apathy prevalent regarding it, the excellence of that System may be so forcibly apparent, and the reasons for its adoption so strong and urgent, that he may become impatient at the stolidity, or indifference, of his neighbour, and endeavor to compel the arbitrary adoption of the Free School System by law. But, while I do deeply sympathise with such persons in their anxiety, I would deprecate resorting to any measures so decisive. Better to submit to a year, or two years, delay in the application of the Free School Principle, than it should be premturely enforced by the "terrors" of the Law. Its progress and ultimate triumph is only a question of time. But, at present, unanimity alone can promote its speedy adoption; and perseverence, argument, facts, and figures are necessary to produce that unanimity.

5. In many instances I have known of a comparative oneness of feeling having been created in a School Section by the introduction of trifling articles of School Apparatus:—a Map, a Globe, a Numeral Frame, Tablet, or Pictorial Lesson, and other School Appliances. A wise Teacher, or judicious Trustees, by placing those things before the pleased and anxious eye of the pupils, have invariably excited their curiosity and gained their confidence and attention; and, thus, through the children, these things have opened the parents' hearts and enlisted their generous feeling of parental love, to afford still greater facilities for the instruction and amusement of their children. Trifling efforts of this sort have frequently led to important results in individual School Sections; and thus have Free Schools been often most agreeably and permanently established. Children, hitherto indifferent to any instruction, or listless, when receiving it, have evinced great anxiety to be permitted to witness the many occular proofs pleasantly exhibited, of numerous important truths connected with the ordinary branches of education, heretofore to them a sealed book, or a dead letter. No one can visit the Provincial Model School, at Toronto, the Central School at Hamilton, or Brantford, or the Union School, at London, without being forcibly impressed with the true philosophy of the plan here indicated.

6. To accomplish even this step in advance may, in some instances, I admit, be difficult; but a little effort judiciously put forth will amply repay the trouble and expense incurred. A practical proof of the excellence and value of a School, and the utility and importance of these admirable adjuncts in the promotion of Popular Education is often more irresistible and convincing than the most eloquent argument, or the most brilliant rejoinder. And once this point is gained, few persons will feel disposed to cavil at a Free School, which may be productive of so much good, and where these gratifying results of the solicitude of the Teacher and of the Trustees can be still more effectively and agreeably brought about.

7. To those who would insist upon the expediency of a Legislative Enactment, compelling the universal adoption of the Principle of Free Schools, I would observe, that, however desirable it may be some years hence, to follow the example recently set us in the State of New York, we are, as a people, by no means unanimous enough among ourselves in favour of the Principle of Free Schools, or as to the wise economy and expediency of imposing a general tax upon the property of a School Section, or County, (sufficiently large to support all of the Schools, without the aid of Rate Bills), to warrant the Legislature in passing a Free School Law. Even in New York, the State Legislature has been induced to compromise the general question of Free Schools and Rate Bills and to adopt with the "Majority" or "Free School" Bill, a "Minority Bill," or School Tax and Rate Bill Act combined.

8. The present Upper Canada School Act of 1850 wisely leaves it with the people themselves, at their Annual, or Special, School Meetings, to determine in what "manner" their School shall be supported during the year, whether by Subscription, Rate Bill upon Parents, or Guardians, sending children to the School, or by a General Assessment upon all the property in a School Section; and the Law confers upon School Trustees ample powers to carry into effect the wishes of their constituents in either of these respects. The extensive powers thus conferred upon the Trustees of a School Section, and their constituents, should be wisely and judiciously exercised, as was contemplated by the Legislature in granting them. Heretofore, the powers exercised by Trustees were so limited, while their responsibilities were great, that few persons attached much importance to the Office of Trustee, and were indifferent in their selection of its incumbents; but now, a knowledge of the fact that the School Law invests

that Office with so much distinction and authority, will act powerfully upon the people themselves, in inducing greater caution and anxiety in the selection of "proper persons," (as the law requires), for the Office of School Trustees; and this solicitude on the part of the people will again react upon the Trustees, in making them employ all their powers and influence in elevating the character and condition of our Elementary Schools. Should this state of things happily result from the increased powers conferred upon the school representatives of each locality, the public may, with confidence, unite with the Chief Superintendent in the "hope," before the year 1860, to see the light of a Free School emitting its radiance, and imparting its blessing to every child of every School Section in Upper Canada.

II. Origin of the Principle of Free Schools in Upper Canada.

I have observed that the question of Free Schools is of late engaging more than an ordinary degree of attention on the part of the Public Press, but that an erroneous impression exists in the minds of several Writers as to the origin of the Principle of Free Schools in our Canadian System. It is assumed to be of recent date, and peculiar to the provisions of the School Act of 1850; and its introduction has been greeted in one or two instances by the cry of "Socialism," and "Communism;—words, which, in this instance, are but the symbols of selfishness and reaction. In no Countries is private property held more sacred, and more effectually protected than in the Countries of Free Schools,—Prussia, Switzerland and the New England States of America. Socialist Newspapers do not exist in any Free School State of America; they only exist in States where the system of Free Schools has not yet formed and developed the popular mind.

2. But it is a great mistake to suppose that the principle of Free Schools was first introduced into the present Common School Act in 1850, or, that it was first advocated by any Canadian Statesman, who can be suspected of "socialism," or "Communism." It may be satisfactory to all parties if I should state what were the successive steps by which this great principle has become thus far incorporated into our Upper Canada School System.

I would observe, that with the first Communication which I, as Chief Superintendent of Education, made to the Government, after my return from a visit to the United States and Europe in 1844-5, I submitted a Draft of a School Bill, providing for the introduction of the principle of Free Schools. That Communication was dated the Third of March, 1846.* The fifth clause of the Twenty-seventh Section of that Draft of Bill, authorized the Trustees to provide for the support of their School either by voluntary Subscription or by Rate-bill; and the Sixth clause of the same Section defined the manner of levying the Rate-bills as follows:

To fix the Rate-bill per quarter, and cause it to be made on all the inhabitants of such School Section, according to the valuation of property, as expressed in the Assessor, or Collector's, Roll, who shall allow any one of the Trustees, or their authorized Collector of such School Section, in his Township, Town, or City, to make a copy of such Roll, so far as it relates to such School Section respectively.†

3. The foregoing provision was accompanied by the following explanatory and argumentative remarks:—

The next important change which I propose is, that the Rate Bill imposed by the Trustees of each School Section, shall be levied upon the inhabitants of such Section, generally, according to property. It is the rate-paying inhabitants who elect the Trustees; it is for these inhabitants generally that the grant is made; and the same principle, I think, ought to be acted upon throughout the School System,—all having a right to avail themselves of the School.

I need not say how just and patriotic is this principle; how important it is for the poor, and especially those, (as is often the case), who have large families; how much it would lighten the burden of supporting the Schools; how greatly it would increase the attendance of pupils, and, consequently, the blessings of education, and how strictly then would our Schools be Public Schools. I may observe, that this Free School System obtains in the States of New England, where there are the best Common Schools in the United States. It is also the Prussian and Swiss system.

On the other hand, the evils of the present system of School Rate Bills have been brought under my notice from the most populous Townships, and by the most experienced Educationists in Upper Canada. When it is apprehended that the Rate-Bill will be high, many will not send their children to the School at all; then there is no School, or else a few give enough money to pay the Teacher three months, including the Government Grant part; or even after the School is commenced, if it be found, that the School is not so large as had been anticipated, and that those who send will consequently be required to pay more than they had expected, Parents will begin to take their children from School, in order to escape the Rate Bill, as persons would flee from a Fire, or a falling House. The consequence is, that the School is either broken up, or the whole burthen of paying the Teacher falls upon the Trustees, and often a quarrel, in consequence, ensues between them and the Teacher.

* This Communication is printed on pages 71-78 of the Sixth Volume of this Documentary History.

† See page 66 of the same Sixth Volume.

I have been assured, by the most experienced and judicious men, that it is impossible to have good Schools under the present system of Rate Bills. I think the substitute I propose will remedy the evil. I know of none who will object to it but some of the rich, and of the childless and the selfish. Education is a public good; ignorance is a public evil. What effects the public ought to be binding upon each individual composing it. . . . In every good government, and in every good system, the interests of the whole society are obligatory upon each member of it.*

4. The important clause of the Draft of Bill, thus recommended, was approved by the Conservative Administration to which it was submitted, and strongly advocateby Mr. Attorney-General, (now Judge,) Draper, but was opposed and lost in the Legislative Assembly by a majority of four, or five.§ It was the poor man's clause, and the clause of the enlightened patriot; and the loss of it inflicted great injury upon the Common Schools, besides involving Trustees in great perplexities and embarrassments. But the principle thus first submitted to the consideration of the Government and Legislature in 1846, was again submitted to it on the Twenty-seven of March, 1847, in the Draft of a School Bill for Cities and Towns, as in the School Act of the year previous, so far as to authorize Municipal Councils, on the application of Trustees, to provide for the entire support of a School by a Rate upon property. The Draft of Bill containing these provisions was first submitted to the Honourable Henry Sherwood, the Attorney General, and the Honourable J. Hillyard Cameron, the Solicitor General, and the principle of the provisions referred to carefully explained. These Gentlemen both pronounced the principle just and patriotic; the Bill was introduced into the Legislative Assembly by the Honourable J. H. Cameron, and passed without opposition. The two Sections of the Bill, containing the provision for Free Schools, were accompanied by the following remarks,—remarks as applicable to the general questions of Free Schools now as they were in March, 1847 . . .¶

5. It was thus, in 1847, that the Principle of Free Schools was recognized in the School Law of Upper Canada. So strongly did the Honourable Henry Sherwood, (then Attorney-General,) view the question, that the clause in the original Draft of the City and Town School Amendment Bill of 1847, authorizing the Board of Trustees in each City and Town to impose a Rate Bill on parents sending children to School, was, at his suggestion, struck out, and the whole amount required for the support of Schools was to be raised by Municipal Assessment on property. The only School Rate Bills, therefore, paid in Cities and Towns, from 1847 to 1850, were voluntary, and were not required, or authorized, by law, but were paid in the form of special Subscriptions. But as the Members of the Board of Trustees in each City and Town were appointed by the Council, and not elected by the inhabitants,—forming merely a Committee of the Council for educational purposes, the Council,—(elected for other purposes), approving, or disappoving, of all School Estimates and Expenditures, there was not sufficient responsibility on the part of either the Board of Trustees, or the Council, to secure proper attention to, and efficiency in the management and interest of Schools. It was an important step in advance upon the old City and Town system; and in some Towns, (such as the Town of London), where the Municipal Council took a deep interest in the subject, the progress was conspicuous beyond all precedent. In the Counties, some forty, or fifty, Schools were made "Free" in various parts of the Province; but it was obvious, that it was too great a burden upon Trustees to require them to go to the County Council, and often encounter much opposition and disappointment, to get a Free School; and there was too much disunion of authority and responsibility, and too little direct responsibility to the public, in Cities and Towns, to render the Common Schools efficient, and to establish a gradation of them adapted to the several ages, attainments, and educational wants of the different classes of pupils. To remedy these defects, in some measure, the present School Act, passed in 1850, provided for the election of Trustees in Cities, Towns, and Incorporated Villages, by the taxable inhabitants, and made the Trustees thus elected the municipal authority of each City, Town and Incorporated Village for all school purposes. The Act also invested each School Section with power to provide for the support of its own School in its own way, without any application to any Municipality Council whatever.

6. Such are the provisions of the present School Act of 1850, in regard to Free Schools; the chief defect of which is, in not giving Trustees of School Sections the same authority to decide upon the manner of supporting their Schools as is given to Trustees in Cities, Towns, and Incorporated Villages,—the electors themselves, in these Municipalities deciding upon the kind of Schools they desire by the men they elect as their Trustee Representatives. The defect, to which I refer, is in not investing the Representatives of School Sections with the same discretionary authority to act in the school matters for which they are elected, as is possessed by Members of Municipal Councils, and of the Provincial Legislature, in regard to the objects for which they are elected.

* Printed on page 76 of the Sixth Volume of this Documentary History.

§ See Note ‡ on page 75 of the same Sixth Volume

‖ Printed on pages 188-195 of the Seventh Volume of this History.

¶ These "Remarks" are too voluminous to be inserted here, but they can be seen, by referring to pages 190-193 of the Seventh Volume of this Documentary History.

7. Two remarks may be made, in regard to the foregoing statements and references. The one is, that the Principle of Free Schools is not peculiar to the present School Act of 1850, or to any one political party in Upper Canada ; but it has been introduced into two successive School Acts—those of 1847 and 1850,—and sanctioned by two successive Administrations of Government of different parties. The other remark is, that in neither Act of the Legislature, has it been proposed to compel any School Section, or Municipality to provide for the support of its School, or Schools, in any particular manner, but simply to give the electors in each School division the power of local self-government in the matter.

III. Progress of Education in Upper Canada,—Extract from Lord Elgins Despatch to the Colonial Secretary, 1852.

. . . While such is the condition of the Province, in respect of material prosperity, its moral and intellectual interests are not neglected ; independently . . . of various endowments and special grants for Collegiate Institutions, Normal Schools, and other objects of a like character in both sections of the Province, the sum of £41,095. 17s. 10d. sterling is set apart annually from the public funds for the support of Common Schools, and which is divided between Upper and Lower Canada in proportion to their respective population. Each School Municipality, in order to entitle it to obtain the share of this Fund allotted to it, is bound to raise by local taxation at least an equal sum. In Upper Canada the sums thus raised greatly exceeded the required minimum. The returns for 1851 show that in that section of the Province there were in that year Three thousand and one Common Schools in operation, attended by One hundred and sixty eight thousand one hundred and fifty nine pupils, and the total sum available for Teachers' salaries, and for the erection and repair of School Houses, was £98,226. 15s. 7d. sterling of which sum £20,547. 18s. 11d. was Parliamentary Grant, the remainder being raised, by local Assessment, School Roles and Rate Bills imposed by School Trustees.

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INDEX.

Abolish Chief Superintendent's Office, 93, 101.

Academy Upper Canada, 81, 231, 232.

Accounts, School, a Necessity, 252, 254.

Act of Public School 1807, 145 ; of 1808, 145; of 1853. 140; of 1807, 300 ; of 1819, 145 ; of 1837, 145 ;

Act, School :—
of 1841, 1, 88, 89, 107, 175, 176, 177, 285, 295, 296.
of 1843, 1, 12, 32, 89, 90, 96, 177, 295, 296, 305.
of 1846, 1, 12, 32, 89, 90, 96, 295, 296, 305.
of 1847, 12, 295, 306.
of 1850, 2, 7, 12, 31, 41, 42, 43, 46, 47, 49, 89, 90, 93, 94, 96, 97, 101, 102, 104, 105, 106, 107, 108, 110, 115, 133, 140, 159, 160, 161, 163, 164, 182, 191, 292, 295, 303, 305, 306.
of 1852, 104, 105, 114, 130.
of 1853, 107, 110, 111, 112, 113, 114, 116, 117, 133, 156, 157, 159, 162, 163, 164, 166, 167, 168, 170, 171, 172, 191.
of 1849, University, 51, 73, 80, 81, 118.
of 1850, University, 55, 56, 71, 81, 118, 219.
of 1852, University, 102, 104, 106, 107, 108, 109, 110, 115, 116, 117.
of 1853, Grammar School, 140, 104, 106, 110, 111, 113, 116, 117, 135, 140, 164, 173,

Acts passed in 1853, Educational, 117.

Act of 1853, Separate School Provisions in, 134, 166, 167; other provisions, 176, 295.

Address, of Chief Justice Robinson, 67, *See* Robinson, Hon. J. B.
of Doctor Ryerson 58, 61, 117, *See* Ryerson, Dr.
of Methodist Conference on Victoria College, 80, 231.
by Lord Elgin, 8, 28.
to Lord Elgin, 6.

Adelaide Academy, 101.

Admission to the Normal School, 20, 29, 243, 244.
to the Provincial Model Schools, 245, 246.

Affiliated College, to share in grants, proposed, on certain conditions, 128, 157.

Affiliation of Trinity College with Toronto University. 52.
of outlying Colleges with Toronto University, 122, 128, 157, 203.

Agriculture, Chair of, in Toronto University, 208.

Agricultural College, Upper Canada, 170.
Chemistry, Prizes in, 17 18.
Experiments in Provincial Normal School Grounds, 6, 286.
People, Value Education to an, 236.

Aid to Normal School Students, *See* Allowance.

Albany, Normal School at, 286.

Allowance to Normal School Students, 21, 103, 164, 190, 218, 244.

American School Books, 197.

Apparatus School, 7, 8, 20, 26, 29, 49, 50, 103, 190, 192, 193, 194, 197, 198, 201, 288, 290, 304, 306.

Appleton's Case of 1828, 101, 103.

Apportionment of School Grant, 26 46, 253, 255, 256. *See* Basis.

Arbitrations, School, 137.

Armstrong, Wm., 210, 214.

Architecture, School, 29, 50, 95, 99, 103, 105, 190, 191, 192, 194, 262.

Art and Design, School of, 250.

Assessments for Grammar Schools, 141.

Attendance at the Schools, 26, 30, 36, 37, 46, 47, 255, 260, 288.

Bagot, Sir Charles, 89.

Baldwin, Hon. Robert, 1, 5, 51, 88, 98, 210, 229, 247, 286.

Baldwin University Act of 1849, 51, 73, 80, 81, 118.
of 1850, 55, 56, 71, 81, 118, 219.

Barnard, Hon. Henry, 196.

Barron, F. W., 80. 125, 208.

Basis of the Apportionment of the School Grant, 253, 256.

Beaven, Rev. Dr., 52, 57.

Beaumont, Dr. W. R., 74, 213, 214, 216, 218, 220.

Bethune, Rev. Dr. A. N., 61, 67.

Bible, a Class Book, 91, 174, 177.
As a Precious Guide, 61, 66.
Read in the Schools, 26, 186, 289.

"Bidding Prayer," The, 61.

Bishop Strachan, *See* Strachan, Dr.

Blaquière Hon. P. B. de, 5, 51, 52, 53, 54, 57, 158, 216, 217, 229.

Board of School Trustees in Cities, Towns and Villages, 4, 42, 43, 89, 90, 133, 160, 164, 167, 264, 266, 269, 270, 274, 291, 306.
of Endowment. *See* Endowment Board.
of Public Instruction, County, 3, 25, 28, 31, 50, 95, 137, 261, 291.

Books for Public Libraries, 97, 99, 293. *See* Libraries.
Irish National School, *See* Text Books.
Itinerant Vendors of, 196, 293.
Botanic Garden in University Grounds, 210, 227.
Boulton, D. E., 223.
Hon. H. J., 5, 113, 118, 277.
W. H., 102, 103, 155 224.
Bowes, J. G., 209, 211, 248, 274, 277.
Brown, Hon. George, 101, 102, 103, 104, 106, 108, 109, 111, 113.
Bruce, Hon. Col Robert, 5, 18, 205, 206.
Buckland, George, 209, 217.
Buchan, David, 78, 79, 86, 210, 211, 212, 213, 215, 217, 218, 228.
Building Fund, Normal and Model Schools, 4, 7, 11, 13, 14, 241, 242, 243, 245, 246, 249, 250, 278, 286, 291.
of Trinity College, 239.
Burke, Edmund, 294.
Burnside, Dr. Alexander, 60.
Burns, Rev. Dr. R. 87, 219, 276.
Hon. R. E., 5, 221.
Bytown College, 103, 114.

Cameron, Hon. J. H., 26, 191, 210, 212, 213, 276, 306.
Alan, 215, 216.
Canon on Religious Instruction, 33.
Canada, extent of, 281.
Caput of Toronto University, 78, 79, 102, 208, 210, 211, 213, 214, 215, 218, 219, 220.
Certificates of Qualification, Teachers', 3, 18, 28, 138.
Charbonnel, Bishop de, 5, 10, 19, 20, 54,98, 102, 178, 179, 181, 298.
Charter of the Church University. 51, 52, 53, 55, 101, 102, 158, 203, 204, *See* Trinity College.
of King's College, 118, 205.
of the Upper Canada Academy, 81
Chancellor of Toronto University, 118, 119, 120, 121, 122, 125, 126, 155, 158, 209, 215, 216, 217, 229, 230.
Champion, Thomas, 54, 70.
Chairs proposed in the University, 152, 153.
Chapman, E. C. 213.
Cherriman, J. B. 219
Chief Superintendent, *See* Ryerson, Dr.
Christian Knowledge Society, 71, 72.
Church of England Separate Schools, 34, 92, 93, 103, 114, 270, 273.
Church, The, (Newspaper), 55, 56.
Church University, *See* Trinity College.
Churches, various, and the University Question 80, 231.
Circulars of the Chief Superintendent :
To the Clerks of Cities, Towns and Villages, 46, 256.
To Local School Superintendents, 46, 48, 255.
To County Clerks, 49, 253.
To Wardens of Counties, 251.
Clark, Mrs. Dorcas, 245.
Clerk of Works, 16, 17, 21, 22, 23.
Clergy, Duty of the; *See* Duty of Pastors.
College, *See* Upper Canada College.
Bytown, 103, 114.
Hamilton, 110. 111, 115, 116.
Colleges in Lower Canada, 82, 233.
in Upper Canada, 26, 36, 106, 291.
Religious Instruction in, 35, 52, 53, 55, 64, 67, 236.
Colonial Secretary, (*See* Grey, Lord.)
Coloured Persons, Education of 110, 181, 295.
Commission of Inquiry into King's College Affairs, 79.
Connor, Dr. Skeffington, 209, 210, 211, 218, 220.
Convocation of Toronto University, 78, 108, 115, 229.
Corner Stone of King's College, 62.
of Normal School Building, 5, 7, 10, 12, 14, 18, 19, 20,
of Trinity College, 57, 58.
Correspondence between Hon. P. B. de Blaquiére and Bishop Strachan, 51.
between Lord Elgin, and Earl Grey, 59, 97.
between Dr. Ryerson and Earl Grey, 56, 97, 192, 197, 198.
on the Separate School Question, 102, 171, 174, 188, 189, 266, 269.
Council of Public Instruction, 4, 5, 10, 12, 15, 39, 43, 90, 141, 241, 249, 271.
County Councils, 47, 49, 50, 93, 251, 253.
Boards of Public Instruction, *See* Boards.
School Conventions, 173, 255, 292.
Croft, Henry H., 18.
Crooks, Hon. Adam, 170, 193, 195, 229.
Chamberland, F. W., 5, 12, 14, 16, 17, 19, 210, 214, 215, 220, 242, 245, 250, 278.

Degrees, University, 120, 121.
Denominational Colleges, 35, 149, 151, 234.
Schools may be inexpedient, 33 ; but may be lawfully established, 273.
Depository Educational, 6, 7, 97, 104, 105, 106, 190, 192, 193, 194, 198, 200, 201, 250, 257, 262.
Deputy Superintendent of Education, *See* Hodgins, J. George.
Discipline in Trinity College, Nature of, 65.
Diocesan College, Cobourg, 71, 209 241.
Disallowance of Senate Statutes, 218.
Dissentients to the passage of the Supplementary School Act of 1853, 117.
Distribution of the School Fund, 46, 94, 253, 255, 256.
Divinity Professorship abolished in Toronto University, 124.
Division Court Judgments, 139, 140.

Draft Charter of Trinity College, 204, 205, 206.
Drafts of Education Bills by Dr. Ryerson:—
of School Act of 1846, 32, 305, 306.
of School Act of 1853, 59, 159, 162, 163, 164, 167, 168, 170, 171, 172
of Grammar School Act of 1853, 173.
of a proposed University Measure, 146, 154, 156.
of Separate School Provisions of the Act of 1853, 159, 163, 164, 167.
Draper, Hon. W. H., 1, 7, 89, 157, 286, 306.
Drummond, Hon. L. T. Drummond. 113.
Duty of the Clergy to give Religious Instruction to Children, 33, 34, 35, 186, 235. (*See* Clergy and Pastors.)

Eclectic, the School System of Upper Canada, is, 2, 235.
Education in Upper Canada, Sketch of, 1.
Offices, Erection of, 1.
Elgin, Lord, 2, 5, 7, 8 10, 12, 14, 18, 19, 20, 23, 55, 60, 79, 100, 101, 105, 110, 113, 117, 140, 203, 204, 205, 243, 287, 303.
Eliot, C. W., President of Harvard, 294.
Endowment of King's College. (*See* King's College)
of Common Schools, 107, 111, 112.
of Toronto University, 126, 127, 223, 225, 226.
of Upper Canada College, 127.
Board of Toronto University, 75, 78, 80. 100, 102, 155, 209, 210, 211, 212, 213, 215, 217, 218, 220.
Engravings, Normal School Building, 11, 13.
Engineering, Chair of Civil, 208, 210, 220.
Erection of Normal and Model Schools and Education Office Buildings, 1.
of Trinity College, 57.
Esson, Rev. Henry, 219, 220.
Establishment of Public School Libraries, 97, 293. (*See* Libraries).
Everett, Hon. Edward, 97, 236.
Examination of Teachers, 31, 96, 113.
Expenditures, Common School, 26, 36, 37, 288.
of Victoria College, 85.
of Toronto University. (*See* Finances).

Farm, Model, proposed, 101.
Fergusson, A. J., 108, 109.
Hon. Adam, 212, 213.
Finances of Toronto University, 76, 86, 206, 207, 208, 212, 222, 226, 227.
of Upper Canada College, 77.
of Victoria College, 85.
Financial Sections of the Supplementary School Act of 1853, 139, 164, 169.
Forneri, James, 219.
French and German Teachers, 18.
Freeland, Patrick, 215.
Free Schools Crusade, Anti, 273.
in New England, 42.
in Upper Canada, 3, 24, 25, 42, 45, 93, 98. 107, 160, 161, 264, 273, 277, 288, 292, 293, 296, 303, 304, 305, 306.
Founding of Trinity College, 57.
Fund for Academical Education, 129
Building, of the Normal and Model Schools, 15, 18, 19, 20, 21, 22, 23.
Grammar School, constituted, 140.
School, defined, 185, 249, 267, 269, 272.
Funds Collected for Trinity College, 62, 171.
Furniture, School, 49, 169, 243.

Gale Rev. Alexander, 212, 216.
Gamble, J. W., 95, 109, 112.
German and French Teachers, 18.
Goldsmith's History of England, 179, 181.
Goodwin, Capt. Henry, 245.
Graduates as Grammar School Masters, 143.
Grammar School Acts of 1807, 1808, 1819, 1837, 1841, 1846, 1850 and 1851 repealed, 145.
Grammar Schools, 26, 29 36, 51, 69, 70, 82, 83, 95, 101, 104, 106, 107, 110, 111, 113, 115, 116, 117, 135, 140, 161, 164, 173, 261, 291,
Grant, Legislative, for Libraries, 97, 99, 105, 190, 197.
for Normal and Model School and Office Buildings. (*See* Building).
for Common Schools, 82, 95, 183, 202, 248, 267, 288
Grasett, Rev. H. J., 5, 12, 19, 20, 24, 248, 278.
Grey, Lord, Library Correspondence with, 53 55, 58, 97, 192, 197, 198.
Guigues, Bishop J. E., 103.
Guizot, M., 180, 181, 187.
Gwynne, Dr. W. C., 211, 214, 216, 217.

Hall, G. B., University Bill of 1845, 157.
Harrison, Hon. S. B., 16, 89, 213, 278, 285.
Hawes Sir Benjamin., 97.
Hastings County School Statistics, 260.
Hayes, Dr. J. J., 209, 211, 212, 213, 214, 215, 216, 217, 218, 223.
Herrick, Dr. George, 209, 215, 216, 217.
Highlanders, 71st Regiment of, 5, 19, 20.
Hincks, Hon. F., 1, 2, 5, 41, 79, 86, 89, 90, 98. 102, 103, 106, 108, 110, 115, 127, 139, 146, 156, 157. 158, 156, 164, 171, 177, 217, 229, 247, 248, 278, 282, 283, 585, 287, 295.
Rev. William, 213, 214,
Hind, Henry Y., 17, 18, 22, 23, 243.
William, 245.
History, Chair of, in Toronto University, 23, 214, 215 219.
Hodder, Dr. Edward, 60.
Hodgins, J. George, 5, 12, 15, 16, 17, 18, 46, 94, 97, 181, 191, 193, 197, 201, 244, 287.
Thomas, 5.

Home Life in Colleges, 64, 67, 236.
Houses, School, 3, 4, 7, 25, 26, 28, 30, 135, 137, 165, 288, 290.
in Toronto, 1852, 276.
Howard, James S., 12, 16.
Hughes, Archbishop, 268.
Huxley, T. H., 214.

Imperial Educational, Grant of, 1797, 57.
Income of Toronto University, 74, 76, 128, 221, 226, 227, 228, 229.
Increase of Free Schools in Upper Canada, 199 277.
Indians, Education of the, 234.
Inquiry into King's College Affairs, 211, 221, 223, 224.
Inscription on Plate in Corner Stone of Normal School and Office Building, 12, 19.
Inspection of Schools. (*See* Local Superintendents).
Investment Fund of Toronto University, 76, 221, 222, 227, 228.
Ireland, Archbishop, 182, 276.
Irish National School Books, 2; printed, 250, 289.

Jennings, Rev. John, 5, 12, 16, 17, 19, 212, 213, 215, 217, 218, 219, 277, 287.
Johnson, Miss Catherine, 245.
Thomas, 245.
Journal of Education for Upper Canada, 12, 14, 15, 48, 49, 50, 103, 105, 139, 164, 169, 170, 190, 191, 194, 201, 202, 203, 251, 257, 258, 262, 264, 278, 292.

King's College, 53, 57, 70, 72, 74, 100, 205, 207, 221, 230. (*See* Inquiry).
King, Dr John, 209, 211, 218, 226.
Knox College, 74, 86, 87, 238.

Langton, John, 109, 111.
Law and Medical Faculties, Toronto University, 106, 107, 108, 109, 114, 115, 116, 124, 128, 153.
Lectures, School, 3, 43, 290. (*See* Local School Superintendents).
Lefroy, Capt. J. H., 105, 114. (*See* Observatory).
Legislation on Separate Schools, 89, 134, 176, 295. (*See* Separate Schools).
Legislative School Grant, 26, 46, 94, 139, 164, 168, 170, 251, 253, 256, 297.
Leslie, Hon. James, 83, 197.
Lesslie, James, 213, 214, 215, 216, 218, 269.
Letters on the Separate School Question, 188, 189. (*See* Separate Schools).
Libraries, School, 4, 7, 9, 29, 30, 32, 40, 49, 50, 97, 99, 103, 104, 107, 192, 194, 195, 196, 198, 200, 201, 290, 292, 293, 299, 300.
Library of Education Department, 6.
Theological Transferred to Trinity College, 71, 209, 241.
Lillie, Rev. Dr. Adam, 12, 98, 209, 211, 215, 217, 219, 220, 248, 278.
Local School Superintendents, 3, 47, 94, 95, 96, 101, 125, 135, 136, 161, 165, 287, 290, 291, 292.

London University, 73, 75, 154, 155, 157.
Lower Canada Petitions for Upper Canada Separate Schools, 104, 107, 110, 183, 272, 300.
Schools, 296, 300.

Macdonald, Hon. J. A., 238.
Hon. J. S., 5.
Mackenzie, Wm. L., 103, 105, 111, 113, 265.
Macnab, Sir A. N., 5, 61, 111, 247, 285.
Maitland, Sir Peregrine, 225, 231.
Manual Labour Schools, 265.
Maps and School Apparatus; *see* Apparatus and Depository.
McCallum, Alexander, 20, 244, 245.
McCaul, Rev. Dr., 12, 209, 210, 212, 213, 216, 218, 278, 283, 284, 285.
McMurrich, Hon. John, 194, 218, 219
Mechanics' Institutes, 171, 201.
Memorial to the Government by the Senate of Toronto University, 217, 218.
to the Legislature by the Counties of Wentworth and Halton, 93.
Metcalfe & Co., 5, 12, 15, 57, 243.
Meteorological Stations Established, 144; *see* Capt. J. H. Lefroy.
Methodist Church and Victoria College, 55, 80.
Colleges, 81, 82, 232.
Merritt, Hon. W. H., 107, 247.
Mineralogy and Geology, Chair of, in Toronto University, 213, 214.
Mixed Schools, 89, 90 180, 181, 184.
Model Schools, Provincial, 1, 6, 14, 245, 247, 250, 278, 279, 286.
Modern Languages, Chair of, in Toronto University, 214, 215, 219.
Moneys, Local School, 26, 36, 288.
Morrison, Hon. J. C., 5, 12, 16, 103, 107, 171, 209, 210, 213, 214, 215, 218, 245.
Morin, Hon. A. N., 5, 100, 101, 102, 103, 104, 111, 204, 206.
Mowat, Oliver, 213, 214, 215, 216, 217, 218, 219.
Municipal Assessment Equivalent for Government Grant, 288, 294.
Institutions, School System Grafted on the, 2, 39.
Taxation for Separate Schools, objections to, 163, 273, 297.
Museum of Education Department, 6, 139, 164, 169, 170, 250.
Murphy, John, 247.

Narrative of Mission to England, in 1850, by Dr. Strachan 62.
Natural History Chair in Toronto University, 213
Philosophy Chair in Toronto University, 214, 215.
Nelles, Rev. Dr. S. S., 84, 85.
New York State School Expenditure, 30.
Nicol, Dr. W., 13, 79, 106, 208, 211, 217.
Non Residents, Rates on, 138.

Normal School, Grant to, 164, 168, 170, 191, 194, 278, 286, 291.
at Albany, 286.
Students, Aid to, 21, 103, 164, 190, 217, 244.
The Main Spring of the School System, 285, 291.
Terms of Admission to, 20, 29, 243, 244.
Training, Value of, 2, 6, 8, 25, 29, 36, 91, 195, 250, 280, 283, 291.
Normal and Model School and Education Office, Erection, 1, 4, 6, 291; *see* Building.
Norfolk County and Dr. Ryerson, 261, 262.

Objections to Separate Schools, 295, 298.
O'Brien, Dr. Lucius, 208, 209, 210, 212, 214, 216, 217, 219, 220.
Observatory, Provincial, 145; *see* Lefroy, Capt. J. H.
O'Neill, T. J., 213, 219, 266, 268.
Origin of the Agricultural College, 170.
of the Educational Depository, 193.
of the Free School System of Upper Canada, 305
of Separate Schools, 176, 295.
Opening of the Normal School and Departmental Buildings in 1852, 246, 278.
of Trinity College University, 70.

Pakington, Sir John, 205, 206.
Papers, Educational, by the Chief Superintendent:
I. Permanency and Prospects of the School System, 38.
II. Encouraging Symptoms of the Future of the School System, 41.
III. Powers and Duties of School Trustees under the Act of 1850, 43.
IV. Schools Must be Free or be Supported by Fees, 45.
V. Spirit in which the Present Educational Movement should be Directed, 303.
VI. Origin of the Principle of Free Schools in Upper Canada, 305.
Extract from Report of Lord Elgin on the School System, 307.
Party Spirit, absence of in School Legislation, 8, 39.
Pastoral Letters of Bishop Strachan on the University Question, 62, 239, 240.
Pastors, Duty of, 33, 34, 35, 235. *See* Duty of the Clergy.
Permanency and Prospects of the Upper Canada School System, 38.
Pernicious Literature, influence of, 197, 294.
Personal Counsel to University Students by Dr. Strachan and Chief Justice Robinson, 64, 67, 68.
Petition for Church of England Separate Schools, 103, 114, 270.
Petitions from Lower Canada for Upper Canada Separate Schools, 104, 107, 110, 272, 300.
Petition of the Counties of York and Peel to the Legislature, 96, 100. *See* Memorials.
of the Counties of Stormont, Dundas and Glengarry to the Governor General and Legislature, 101, 104, 115.
of the Counties of Huron, Perth and Brant to the Legislature, 105.
of the Counties of Essex and Lambton to the Legislature, 106.
of the County of Kent to the Legislature, 106.
of the Counties of Peterborough and Victoria to the Legislature, 107.
Phelan, Bishop, 102.
Poor Schools, Aid to, 139, 190, 236.
Population of Upper Canada in 1842, 1845, 1848, 1850 and 1851, 36
Potter, Bishop Alonzo, 196.
Power, Bishop, 90, 182.
Practical Science in the Schools, 99, 191, 194.
Prayer in the Schools, 301, 302.
by Rev. H. J. Grasett, 5.
by Bishop Strachan, 59.
by Rev. Adam Lillie, 278.
Presbyterian Colleges. *See* Queen's and Knox.
Price, Hon. J. H., 5, 111, 247.
Principles of the School System, 235, 236.
Private Schools, 29, 288, 291.
Prizes in Agricultural Chemistry, 17, 243.
Proceedings of the Council of Public Instruction (1851), 15, of (1852), 241.
of the County Councils, 93, 258.
of the Legislature, 100.
of the Toronto University Senate, 207.
Professors of King's College, 87.
Toronto University, 100, 108, 109, 115, 124.
Victoria College, 84.
Profits of the Educational Depository from 1850 to 1877, 201.
Prospectus, Original, of the *Journal of Education*, (1848), 201.
Pyper, Rev. Dr. James, 213, 217, 218, 219.

Qualification of Teachers, 28.
Quarterly School Examinations required, 3.
Queen's University, 53, 55, 57, 74, 86, 102, 203, 237, 238.

Rate Bills, School, 26, 45, 161, 288, 292, 293, 303, 305, 306. *See* Supporting Schools.
Registers, School, Provided, 97, 160.
Regopolis, College, 74.
Regulations, School, 32, 34.

Religious Instruction in Colleges, 35, 52, 53, 65 64, 67, 236.
Instruction in Schools, 2, 7, 9, 31, 32, 34, 35, 235, 271, 279, 287, 301, 302.
Instruction to Normal School Students, 55, 247, 284.
Persuasion of Teachers, 3, 28, 289,
Remedial Separate School Legislation, 90, 271.
Report of Board of Endowment of Toronto University, 102, 220, 221.
of Caput of Toronto University. (*See* Caput.)
of Chief Superintendent, 23, 25, 48, 49, 103, 287.
of the Endowment Board of Toronto University, 220.
of Local School Superintendents, 26, 291.
of Upper Canada College, 79, 102.
of Victoria College University, 83.
on Trinity College, 239.
on Separate School Application, Toronto, 266.
Requisites and Apparatus, School. (*See* Apparatus and Depository.)
Resignation of Chancellor, P. B. de Blaquiére, 217, 229.
Return relating to Victoria College, 83.
Returns laid before the House of Assembly, 174.
Richards, Hon. W. B., 104, 105, 107, 108, 110, 113, 114, 116, 129, 134, 138, 139, 146, 156, 159, 164, 167, 171, 172, 249.
Richey, Rev. Dr. Mathew, 83, 84.
Richardson, Dr. J. H., 208, 209, 211, 216, 217, 219.
Robertson, T. J., 17, 23, 219, 220, 245.
Robins, S. P., 244, 245.
Robinson, Hon. J. B., 5, 6, 67, 236, 247, 278, 283, 284. *See* Address.
Hon. W. B., 107, 112.
Rolph, Hon. Dr. John, 90, 106, 107, 108,113.
Roman Catholic Teachers in 1852, 183.
Rome, Schools in, 181, 187, 188.
Ross, Hon. John, 114.
Rules, Standing, of Council of Public Instruction, 21
of Normal and Model Schools, 246, 247.
Rural School Section, how formed ; Number of, 3, 25.
Ryerson, Rev. Dr., 1, 5, 6, 7, 8, 16, 17, 19, 21, 22, 24, 27, 41, 43, 48, 49, 51, 57, 83, 85, 86, 88, 90, 97, 98, 99. 102, 103, 129, 130, 139, 146, 156, 158, 159, 160, 162, 163, 170, 171, 172, 173, 178, 181, 188, 189, 191, 195, 196, 198, 199, 202 209, 211, 214, 219, 220 234, 237, 242, 244, 248, 253, 255, 257, 258, 262, 263, 265, 270, 273, 274, 275, 276, 278, 279, 283, 285, 287, 294, 298, 302.

Salaries of Teachers, 28, 289.
Sangster, J. H., 243, 245.

Scholarships, Toronto University, 122, 128.
in Toronto College, 240, 241.
of Victoria College, 82.
School Fund Defined, 185, 249, 267, 269, 272.
Laws of Upper Canada, see Acts.
System of Upper Canada, 1, 69, 303.
Schools in Upper Canada, 14, 25, 36, 89, 288.
Science in Schools, Practical, 99, 191, 194.
Scobie, Hugh, 5, 12, 17, 19.
Sections, School, how formed, 3.
Seminary, Theological, Removed from Cobourg,, 70.
Senate of Toronto University, 72, 78, 118, 119, 120, 122, 125, 126, 155, 156, 207, 210, 215.
Separate School Question, 88. 90, 91, 96, 101, 102. 104, 106, 107, 108, 110, 112, 113, 114, 134, 162, 166, 175, 266, 272, 291, 295, 296, 297, 300.
Legislation, 134, 176, 295.
Memorandum, 172.
Return, 174, 299.
Correspondence, 171.
Trustees, Claim by, to share in all School Assessments, 184, 266.
Separate Schools, Explanatory Statement in regard to, by Dr. Ryerson, 162.
Origin of, 176, 295.
Sketch of, 174.
in the United States, 302.
Provision for, 134, 136, 166, 167. 295, 297.
Sherwood, Hon. H., 5, 58, 73, 75, 155, 306.
Site of Education Buildings, 6, 14, 278.
of Trinity College, 63, 71.
Sketch of Upper Canada School System, 1, 69, 303.
Small, Rev. J. W., 216.
Sod, Turning the First, of Trinity College Site, 57.
Spence, Hon. Robert, 93, 194.
Standing Rules and Orders of the Council of Public Instruction, 21.
Statistics of Toronto University, 79.
Stone, Corner, (*See* Corner stone).
"Story of My Life," 27, 56.
Strachan, Dr., 51, 52, 53, 54, 55, 56, 57, 60, 61, 72, 91, 103, 114, 203, 204, 205, 206, 209, 236, 239, 240, 241, 270, 272.
and Church of England Separate Schools, 56, 92, 93, 103, 114, 270, 273.
Subscriptions to Trinity College, 62.
Suggestions on University Education, by Dr. Ryerson, 151.
Sunday School Libraries, 29, 201, 290.
Superannuation of School Teachers, Grant for the, 139, 164, 170.
Supplementary School Act. (*See* Act of 1853).

Supporting Schools, Modes of, 3, 7, 44, 160.
Sydenham, Lord, 7.
Taché, Hon. E. P., 113, 114.
Taxation for Schools maintained as a Principle by the Hon. Robert Baldwin, 1.
Teachers in Upper Canada, 28, 37, 289.
Superannuation of, Grant for the 139.
Training of, 2, 8. (*See* Normal School).
Temperance Hall as a Temporary Normal School, 21.
Terms of admission to Normal School, 20, 244.
Test, no Religious, in Trinity College Charter, or Act, 124.
no Religious, in Toronto University, or in Upper Canada College, 124, 125.
Text Books, 2, 4, 9, 25, 27, 29, 50, 93, 142, 177, 196, 197, 203, 204, 205, 239, 282, 289, 291. *See* Irish National.
Think, Children Should be Taught to, 294.
Theological Library transferred from Toronto University to Trinity College, 70, 71, 209, 241.
Time of keeping open the Schools, 27, 30, 289, 290.
Times, London, on Irish School System, 302.
Toronto Anti-Free School Meeting, 274.
University, 51, 53, 54, 55, 56, 57, 74, 100, 102, 283.
Training of Teachers, of German Origin, 2.
Trinity College, 22, 23, 51, 54, 55, 56, 57, 61, 64, 69, 71, 101, 158.
Trowel, Silver, Presented to Lord Elgin, 10, 19; to Bishop Strachan, 61.
Trustees, Duties of Common School, 43, 44.
of Grammar Schools, 142, 143, 145.
Tully, Kivas, 57, 61.
Turgeon, P. F., Archbishop, 104.

University of Upper Canada, proposed by Dr. Ryerson, 155.
University Act of 1849, 51, 72, 86, 80, 81, 118, 206, 208, 209, 210, 213, 214, 216, 221.
University Act of 1850, 52, 55, 56, 71, 81, 219.
of 1852, 102, 104, 106, 107, 108, 109, 110, 115, 116, 117. See Toronto University.
Bill by Hon. Henry Sherwood, 1851, 72, 73.
by Rev. Dr. Ryerson, 146, 154.
Representation in Parliament, 231.
University College Constituted 123.
Upper Canada College, 57, 74, 77,79,80,100, 102, 108, 110, 116, 125, 126, 128, 206, 208, 226, 275.
Union of Grammar and Common School Boards, 135, 143.

Vandusen, Rev. C., Report on Victoria College, 83, 84, 85.
Vendors, Itinerant Book, 196, 293.
Victoria College, 53, 54, 55, 56, 57, 74, 80, 81, 82, 83, 84, 85, 86, 203, 231, 233.
Incorporated in 1841, 232.
Visitation, Commission of, Toronto University, 78, 208, 213.
Visit of Dr. Ryerson to Great Britian and the United States in 1850, 97, 192, 193, 196, 197, 294.
Visit of Bishop Strachan to England in 1850, 62, 71.
Visitor of Toronto University, 119, 125.
Visitors, School, who are, 3, 29.
Visits made to the Schools, 3, 31, 290.

Wayland, Rev. Dr. Francis, 82, 97, 232.
Wellington Funeral, Holiday, 246.
Wesleyan Conference and Toronto University, 55, 80, 81.
and Victoria College, 80, 231.
Whitaker, Rev. Provost. 67.
Willis, Rev. Dr. Michael, 86, 87, 209, 210, 218 219, 238.
Wilson, Dr. Daniel, 219.
Wiseman, Cardinal, 98.
Workman, Dr. Joseph, 209, 274.

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